

[H.A.S.C. No. 113-52]

**DEPARTMENT OF DEFENSE'S CHALLENGES  
IN ACCOUNTING FOR MISSING PERSONS  
FROM PAST CONFLICTS**

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HEARING

BEFORE THE

SUBCOMMITTEE ON MILITARY PERSONNEL

OF THE

COMMITTEE ON ARMED SERVICES  
HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRTEENTH CONGRESS

FIRST SESSION

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HEARING HELD  
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##### WITNESS RESPONSES TO QUESTIONS ASKED DURING THE HEARING:

[There were no Questions submitted during the hearing.]

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[There were no Questions submitted post hearing.]



**DEPARTMENT OF DEFENSE'S CHALLENGES IN ACCOUNTING FOR MISSING PERSONS FROM PAST CONFLICTS**

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HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ARMED SERVICES,  
SUBCOMMITTEE ON MILITARY PERSONNEL,  
*Washington, DC, Thursday, August 1, 2013.*

The subcommittee met, pursuant to call, at 8:02 a.m., in room 2212, Rayburn House Office Building, Hon. Joe Wilson (chairman of the subcommittee) presiding.

**OPENING STATEMENT OF HON. JOE WILSON, A REPRESENTATIVE FROM SOUTH CAROLINA, CHAIRMAN, SUBCOMMITTEE ON MILITARY PERSONNEL**

Mr. WILSON. The hearing will come to order. Everyone is welcome to the Subcommittee on Military Personnel on the topic of the Department of Defense's challenges in accounting for missing persons from past conflicts.

Today the subcommittee will continue its oversight on the important issue of POW/MIA [Prisoner of War/Missing in Action] recovery. Last August, Congresswoman Madeleine Bordallo and I had the opportunity to visit the Joint Personnel Accounting Command—JPAC—headquarters, as well as a field recovery team on the side of a mountain in Vietnam.

I was extremely impressed with the professionalism and work ethic of our service men and women as they worked in extreme heat and dangerous conditions to recover the remains of missing persons from a jet crash site. There were many dedicated military personnel involved in this effort.

The joint U.S.-Vietnamese team was inspiring for its determination of recovery of remains. They shared the desire for the fullest possible accounting with the many family members of those who are still missing.

We, as a nation, owe the proper emphasis, resources, and priority of effort to account for our missing persons from past conflicts and to bring closure to their family members. That is why this subcommittee, then chaired by Representative Susan Davis, in the National Defense Authorization Act for fiscal year 2010 required the Secretary of Defense to increase significantly the Department's capability and capacity to account for missing persons, with the objective that the POW/MIA accounting community could identify at least 200 missing persons annually, beginning in fiscal year 2015.

In May 2012, after 3 years of little apparent progress by the Department of Defense toward achieving the 2010 mandate, this committee directed a Government Accountability Office review. There

have been approximately nine studies over the past decade on ways to provide and improve the accounting community's effort to include a recent internal review of JPAC's procedures conducted by Dr. Paul Cole, who is employed as a fellow at JPAC.

Our goal today is to better understand the ability of the POW/MIA accounting community to meet the requirements of the National Defense Authorization Act for fiscal year 2010 and to help the Department build the capability and capacity to identify 200 missing persons per year by fiscal year 2015.

I would like to welcome the distinguished witnesses, Ms. Brenda S. Farrell, Director of Defense Capabilities and Management, U.S. Government Accountability Office; and also Dr. Paul M. Cole, Ph.D., Oak Ridge Institute for Science and Education Fellow with the Joint Personnel Accounting Command, Central Identification Laboratory, U.S. Pacific Command.

Mrs. Davis, do you have any opening remarks?

[The prepared statement of Mr. Wilson can be found in the Appendix on page 27.]

**STATEMENT OF HON. SUSAN A. DAVIS, A REPRESENTATIVE FROM CALIFORNIA, RANKING MEMBER, SUBCOMMITTEE ON MILITARY PERSONNEL**

Mrs. DAVIS. Yes, thank you, Mr. Chairman. I certainly want to welcome also Dr. Cole and Ms. Farrell. We appreciate your being here with us today.

As we know, this hearing is the first of several that the subcommittee is planning on the effectiveness and the efficiency of the POW/MIA accounting community.

Mr. Chairman, I hope that the next hearing we hold will include the appropriate representatives from the Department of Defense. Ultimately, it is the Secretary of Defense's responsibility for ensuring that the Department meets the legal requirements to achieve at least 200 identifications a year beginning in 2015.

And therefore it is only appropriate that we have the representatives from the Department of Defense before the subcommittee to understand what actions, if any, the Department is undertaking to truly address the concerns that have been raised in the Cole report and in the recent GAO [Government Accountability Office] report that we will be hearing about today.

The culture of service instills within each service member that no one should be left behind on the field of battle. And we have a moral responsibility to those who are missing and remain unaccounted for to be returned home to their families and their loved ones. As the GAO report makes clear, weak leadership, fragmented organizational structure, and the lack of clearly articulated roles and responsibilities have hampered the effectiveness of this community for years. Given the current budget situation, we can no longer afford to let these concerns slide.

So it is time we focus our attention on how to make the POW/MIA accounting community more effective and efficient to be able to meet the goal of identifying at least these 200 sets of remains a year by 2015.

So I look forward to hearing from our witnesses and having an open and productive dialogue on the issues and challenges that our

two witnesses have identified within the POW/MIA accounting community.

And again, I want to thank you all for being here. Thank you.

[The prepared statement of Mrs. Davis can be found in the Appendix on page 29.]

Mr. WILSON. Thank you, Mrs. Davis.

I now ask unanimous consent that Representatives Richard Nugent, Colleen Hanabusa, and Congresswoman Jackie Speier be allowed to ask questions during the hearing. Without objection, so ordered.

Ms. Farrell, we will begin with your testimony. As a reminder, please keep your statements to 5 minutes. We have your written statement as well as Dr. Cole's for the record.

**STATEMENT OF BRENDA S. FARRELL, DIRECTOR, DEFENSE CAPABILITIES AND MANAGEMENT, U.S. GOVERNMENT ACCOUNTABILITY OFFICE**

Ms. FARRELL. Thank you, Mr. Chairman.

Chairman Wilson, Ranking Member Davis, and members of the subcommittee, thank you for the opportunity to appear today to discuss GAO's recently issued report on the Department of Defense's missing persons accounting mission. As you know, we conducted our review of DOD's [Department of Defense] efforts to increase its capability and capacity to account for missing persons in response to a mandate driven by this subcommittee.

For the past decade, DOD has accounted for an average of 72 persons each year. Congress mandated DOD to increase its capability and capacity such that it could account for at least 200 missing persons annually by 2015. We were mandated to review DOD's efforts to reach that goal of 200.

My main message today is in the title of our report, "Top-Level Leadership Attention Needed to Resolve Long-Standing Challenges in Accounting for Missing Persons from Past Conflicts." While more than a dozen DOD organizations, known collectively as the accounting community, have a role in accounting for the missing, the Under Secretary for Policy and the U.S. Pacific Command are the two top-level leadership organizations.

My written statement is divided into three parts. First, we reported the need for DOD to examine options to reorganize the accounting community. Top-level leadership has been unable to resolve disputes between accounting community members in areas such as roles and responsibilities and developing a communitywide plan, as outline in our report. Further, the community is fragmented in that the community members belong to diverse parent organizations under several different chains of command. No single entity has overarching responsibility for communitywide personnel and other resources.

A majority of the community members we surveyed conveyed a lack of confidence about the organizational structure. Not a single organization ranked the current structure as the most effective organizational option.

Moreover, illustrating a disconnect between leadership's perspective and the rest of the community, only two organizations, the two top-level leadership organizations I have noted—the Under Sec-

retary for Policy and PACOM [U.S. Pacific Command]—responded that the current structure greatly enabled the appropriate senior leadership involvement.

The second part of my statement addresses the need for DOD's guidance to clearly articulate roles and responsibilities for all accounting community organizations. Disagreement over roles and responsibilities, where DOD's guidance is broad or vague enough to support different interpretations, have led to discord, lack of collaboration and friction among the community members, and particularly between DPMO [Defense Prisoner of War/Missing Personnel Office] that reports to the Under Secretary for Policy and JPAC, a subordinate command of PACOM.

For example, JPAC views itself as having the lead on operational activities, such as conducting investigations and recovery missions. And JPAC officials express concerns with DPMO's plans to conduct some operational activities.

We found overlap and duplication efforts have led to inconsistent practices in key areas, such as equipment and artifact identification and analysis and research and analysis.

The last part of my statement addresses the need for DOD to finalize the communitywide plan to develop increased capability and capacity as required by statute. Communitywide planning has been impeded by disputes and by a lack of coordination among members of the missing persons accounting community.

DPMO and JPAC developed two competing proposed plans, neither of which encompass the entire accounting community. Both plans call for an increased capability and capacity and for a new satellite remains identification laboratory in the continental United States.

However, the two plans differed as to which organization would have control over much of the increased capability and capacity. And each plan favored the organization that authored it.

The other members and their resource needs were not mentioned in either proposed plan. We made recommendations in each of these three areas to DOD along with six other recommendations. And DOD generally concurred with all of our findings and recommendations.

Let me conclude by noting that prompt action on the part of DOD to address these recommendations is critical because the 2015 timeframe is rapidly approaching and, importantly, families have been waiting for decades to discover the fate of their loved ones.

Chairman Wilson, this concludes my remarks. I will be pleased to take questions when you wish.

[The prepared statement of Ms. Farrell can be found in the Appendix on page 30.]

Mr. WILSON. Thank you very much, Ms. Farrell.

We proceed to Dr. Cole.

**STATEMENT OF DR. PAUL M. COLE, OAK RIDGE INSTITUTE FOR SCIENCE AND EDUCATION FELLOW, CENTRAL IDENTIFICATION LABORATORY, JOINT POW/MIA ACCOUNTING COMMAND (JPAC)**

Dr. COLE. Congressman, thank you for the opportunity to be here today and your colleagues. I will just submit my prepared state-



ment for the record and just have a couple of opening statements to make.

The first one is, again, to thank you for the opportunity to be here. I need to state a couple of things for the record. I am not an employee of the Department of Defense. I am a participant in the ORISE [Oak Ridge Institute for Science and Education] scholarship and fellowship program. So I don't represent the Department of Defense, JPAC, the Central Identification Lab, or anybody else for that matter, except for me. So I am not a DOD employee.

I would like to just briefly summarize what I did and what I was asked to do. I came to JPAC from a management consulting background. And I was asked to look at, not the science of the identification process, but the business side of it, how is it done, and to look at the process to identify where there could be some improvements, efficiencies, that sort of thing.

So I want to emphasize when I talk about what I do and what I found. I have profound respect for the missing. My father is a World War II and Korea War veteran. And every time I look at a photograph of the missing people we are working with from World War II, I always think it could have been him. So it is a very personal thing. And I have worked with families of the missing over the years since I first got involved with this issue in the early 1990s. So if it sounds like I am just being dispassionate, I hope that doesn't give the wrong impression that I don't have respect for the issue we are working with.

But what I did was broke the identification process up into four parts. Think of it this way. You have procurement. Well, let me start over. What is the end product? The end product is an identification. It is in the form of a written product, if you have never seen one. It is in a binder. It is in a, you know, black cover and so forth. That is what JPAC does. It produces identifications.

Now, how do they get the information for that identification? It starts on this end with a procurement of remains. You have to find them. Then, that is the procurement step, then they must come into the laboratory. That is the inbound logistics part. Now, that is the recovery teams that Congressman Wilson referred to who are out digging in the jungles and so forth.

Then there are laboratory operations that occur within the CIL [Central Identification Laboratory] that produce the identification. So there are four parts. So when I talk about procurement, that means finding the remains. Inbound logistics, that is the recovery operations. Lab operations is the actual identification process—where the scientific director, who is the only one in the Department of Defense who has the authority to sign off on an identification finally says, "These remains are this person," and then the identification report itself.

So what binds this all together—I have it here. I wrote an SOP for that, a standard operating procedure, to bind all those pieces together into one coherent production process. Along the way, I identified—I don't want to use that word. The result revealed some problems in the identification process; those I addressed in the SOP.

So the ones that you saw in the information value chain report, that is actually a problem statement. The SOP that I have here is

supposed to be the solution statement. And that is what I was asked to do. I stand by the report that I did.

And that concludes my comments and look forward to having a discussion with you. Thank you.

[The prepared statement of Dr. Cole can be found in the Appendix on page 48.]

Mr. WILSON. Thank you very much, Dr. Cole. And I want to thank you and Ms. Farrell for your thoroughness, your obvious appreciation of how significant this issue is, and we are just very grateful that you have provided this information.

Ms. Farrell, the GAO report provides DOD nine recommendations for executive action in order to improve the accounting community's efforts and efficiencies. If DOD implements the recommendations, will the department be able to build the capacity and capability to meet the fiscal year 2010 mandate of identifying at least 200 persons a year?

Ms. FARRELL. Our report does make nine recommendations. At the top of the list is the recommendation for DOD to examine its organizational structure to determine if it is the right structure to help it increase its capability and capacity by 2015. We think that this is an examination that needs to be made quickly. And, from that, it should flow the roles and responsibilities of who is going to do what and by when.

Right now, the DOD does not have a plan of how they are going to increase their capability and capacity to reach that 200. So the first thing they need to do is have a road map of how they are going to get there. They may have to make adjustments. They may find that the feasibility of 200 is not realistic. Or they may find that they can do more than the 200. But right now, they do not have that roadmap.

Mr. WILSON. And I really appreciate your clarity in regard to organizational structure. And I am confident this committee will be looking into that.

And, Dr. Cole, I appreciate your candidness, the report that you did. And you originally, to do a snapshot of JPAC operations to help provide for its standard operating procedure, SOP. Has the SOP been completed? Is it being utilized? What recommendations, indeed, could be provided? And I appreciate you giving a step-by-step analysis, too.

Dr. COLE. Certainly, thank you. Yes, I completed my assignment and submitted the SOP to the command. After that, I had nothing to do with it. It was amended quite a bit. So the SOP was signed, and it is in effect. It is on the portal of the JPAC. You can look at it. But it varies significantly from the one that I have submitted.

One of the things that was very important in the information value chain study was the identification of areas where there were no accountability measures. The Department of Defense requires every element of the Department of Defense to have a reportable metric, a quantifiable metric to report, right? So I put those into the SOP where they were missing.

Unfortunately, quite a few of those were taken out in the final version. So, yes, short answer to your question is yes. But the version that you see on the portal is, sort of, rather alien to me.

Mr. WILSON. And with the metrics that you identified being taken out, which metrics were they?

Dr. COLE. It was primarily in the procurement side. And that is the investigative team missions. There was just nothing there. When you would ask—I did my methodology for this was to do written surveys and follow up with face-to-face interviews and so forth. But, more importantly, I looked at the products of each of the sections at JPAC.

Just to give you a contrast, with regard to the laboratory, I was given a free hand. I looked at hundreds of the identification packets, right? With respect to the J2 [now known as Research and Analysis (R&A)], which is responsible for the investigative team missions, they denied me access to almost everything. And I was lucky to have a look at about 20 of their field reports.

So, from that, I was able to see that at the end of the field report—you know, I have been a government consultant in addition to other things. You generally have to say what you did for the money. That part was missing. There was no so what section to any of these. And there were certainly no quantifiable metrics in those reports. So in the SOP, I hate to say made up—but I constructed an accountability ladder that would allow these metrics to be collected, quantified, and reported. And that is what was missing, and the one that you can see on the Web site.

Mr. WILSON. And, again, you are continuing being candid. And we all appreciate that, because we all, who are here, have such a profound interest that this program be successful.

And, concluding my questions, Ms. Farrell, the nine recommendations—and I think I already know your answer. It is called organizational structure. Which of the GAO recommendations do you feel is most important to achieve the goals of identification of remains?

Ms. FARRELL. Yes, Mr. Chair, I think all the recommendations are important to help increase the capability capacity. But I think we would put deciding if the status quo is the correct structure in place to help increase that capability and capacity or if there should be a more centralized chain of command. And once that is decided, then the next step would be whether you stay with the status quo or decide to make a change in the structure to more clearly define the roles and responsibilities.

Mr. WILSON. And I sincerely appreciate your efforts promoting accountability.

And we now proceed to Congresswoman Susan Davis.

Mrs. DAVIS. Thank you, Mr. Chairman.

Mr. Chairman, I wanted to follow up with your question, actually, to Mr. Cole. And maybe this is just—so what is going on?

Dr. COLE. Well—

Mrs. DAVIS. Could you talk a little bit about procurement, particularly? And is there a problem with training? Are there other responsibilities that get in the way? What do you think is going on?

Dr. COLE. Well, first I have to give full disclosure. I am not a forensic scientist, right? I am an economist. I am a failed scientist. I am an economist and management consultant. So I looked at this from a business perspective. So if you want to know anything about

the, you know, forensic anthropology and the archaeology and things like that, unfortunately, I can't answer that.

But I can tell you about the organization of it. The search for human remains is actually a very complicated——

Mrs. DAVIS. Mm-hmm.

Dr. COLE [continuing]. Issue, right? But there is a—I can't remember the fellow's name now, but there is a famous forensic anthropologist from Ohio State University who wrote the ten commandments of forensic anthropology. The first one is that human remains are always found by accident. It is very difficult to have a systematic way to search and get results for this. But it can be done.

So the first thing I would point out that—and it is in my report. I think there was an absence of a meaningful methodology in the procurement process. And it lacked, as I mentioned, accountability. But there was also a lack of structure in that an analyst should never be allowed to invent the world that they analyze. You know, that you end up in a logic loop that way. And there is also no accountability if you invent your own problem.

So I suggested in this SOP, for example, that every year the commander of JPAC should establish something that I call the Command-Authorized Research Program. Unfortunately, the acronym was CARP. I couldn't come up with a better one.

But that would say that we are going to look at Papua, New Guinea this year. Or we are going to look for big bombers in Europe. But it gives a teleological, an end-oriented structure for the process.

That was missing entirely. So what happened, well it is still going on, actually, is that the researchers sort of come into the office and say, "Well, this is what we are going to do today. This is what we are going to look for." So they lacked a—in fact, if you read the methodology that is in—I reprinted the entire thing, I can't think of a more salient example of opaque sophistry than that methodology that was presented by the J2.

So it needed instruction from the top. "Go do this." And that was missing.

And also the methodology, because any observation is pointless if it is not against a standard. So for every section in JPAC, I looked for best international practice and held each section accountable to best international practice in their particular field.

And we are not the only country that does this mission. It may be unique for the Department of Defense, but there are other countries that do it and they do it very well, and we can learn from them. So I used that as a standard and saw that there was a tremendous disconnect between the procurement program at JPAC and the best international practice being used by other countries.

So let me stop there and see if that is answering your question.

Mrs. DAVIS. And what about the community as a whole and their interaction with this? What did you find—I guess maybe I will just go to Ms. Farrell because you had——

Dr. COLE. That exceeded my mandate.

Mrs. DAVIS. Yes.

Ms. FARRELL. Yes, our mandate did focus on the total community and JPAC is obviously a key player. JPAC, as you know, reports

to PACOM, also the Central Identification Lab is the laboratory for JPAC. But that is just one player, as I noted in my opening.

The other major coordinating authority is the Under Secretary for Policy that has the Deputy Assistant Secretary who oversees work related to developing policy, coordinating policy and overseeing the missing accounting programs community.

There are other players such as the Life Sciences Equipment Laboratory that reports to the Air Force Materiel Command. That is another chain of command we have got. Now we are up to three chains of command.

The Armed Forces DNA Identification Laboratory falls underneath the Army Surgeon General. So we have got, again, another chain of command.

This is where you need the two major coordinating bodies, being PACOM and the Under Secretary's office, to step in at times when there have been disputes about which plan to proceed or what are the overlapping roles and——

Mrs. DAVIS. And how do you see that process, then? How do they establish those priorities? Because obviously there are a lot of different ways to approach. And this has been going on, of course, for a long, long time.

Ms. FARRELL. Yes, it has. DPMO was established in 1993. And what our report is saying, the top leadership coordinating bodies are not stepping in to resolve those disputes, and it is not clear where this particular mission falls in terms of priorities.

Again, there is no communitywide plan that would help lay out goals, metrics, such as what Dr. Cole is referring to. We too believe that metrics can help guide an agency to reach their goal, and if they need to make adjustments, then they can use that plan to do so.

But right now, it is not clear where this particular accounting mission does fall in terms of priorities with the Department.

Mrs. DAVIS. Thank you.

Mr. WILSON. Thank you, Mrs. Davis.

And we will now proceed with questions from the members who are here. And I appreciate everyone being here. We will be on a very strict 5-minute rule. And it will be administered by Craig Greene, so we know it will be done properly.

And we begin with Dr. Joe Heck of Nevada.

Dr. HECK. Thank you, Mr. Chairman. Thank you both for being here.

Dr. Cole, I wonder if you could help me try to understand to the best of your ability some of what appears to be personality clashes in the process in which you were engaged. Because looking at Colonel Thoma's memo of 30 January 2012, he said some "contentious material and personalization" within the report.

And Major General Tom's memo of I guess it was February 3rd of 2012 seems rather harsh in its assessment of the process in your report.

What was it that was in the report or your interactions, if any, with these two officers that caused them to have such, I guess, such angst over the report that you generated?

Dr. COLE. The short answer, Congressman, is that I wish I knew. I had very cordial relations with both the commander of JPAC,

General Tom, and Colonel Thoma. There was never any personality conflict or anything like that, from my perspective.

But then again, when you are in the management consulting business, you kind of grow thick rhino hide, so I am kind of used to that.

But let's go back to what the purpose of this was. The purpose of this report was to be a management document for the top management. There were supposed to be maybe two or three people who would see this.

And as far as the comments that there is personalization in the information value chain report, bear in mind, I did this from interviews and surveys. There is very little of my own judgment in this. And if it does sneak in, it should have been taken out. There wasn't an editing process, for example. There wasn't a verification process. There wasn't a review process.

What you have seen is basically a data dump from me, which I am not going to take it back. I wish I had written the draft a little bit better. But the personalizations in there came from interviews. It was what the colleagues at JPAC were saying about the product produced by somebody else.

For example, if I say, "Congressman, you produce a widget for me," and I think this widget is broken, I never use it, that is what you see in that matrix at the end of the report. So that was supposed to then be used by the JPAC command to say we have a dispute between two recipients of a product and the producer of a product. Resolve that. Get rid of the waste and the misunderstanding.

So I could see that that could be a bit contentious, but as far as the speculation about why people kind of took offense to the report, I could only speculate.

Dr. HECK. Who did you report to during the process?

Dr. COLE. It was the—as you see in my opening statement, I refer to two Deputy Commanding Officers. One was the Commissioning DCO, and that was Colonel John Sullivan. And the second was Colonel Thoma, who came in late in the game. He was there about 3 months toward the end.

So it was Colonel Sullivan. And I spent well over—we kept track of it. It was nearly 40 hours of consultation just with him on this report.

Dr. HECK. And during the time that you were doing the research and generating the report, were there interim updates?

Dr. COLE. Absolutely.

Dr. HECK. And at any time during your providing those interim updates did there seem to be any concerns or backlash from any of those—

Dr. COLE. I never got any feedback.

Dr. HECK. Thank you, Mr. Chair. No further questions.

Mr. WILSON. Thank you very much, Dr. Heck.

We now proceed to Congresswoman Madeleine Bordallo of Guam.

Ms. BORDALLO. Thank you very much, Mr. Chairman. And thank you for calling this hearing on such an important topic. The recovery of remains of our POWs or MIAs is important to our military community, as well as to their families.

And I want to thank you. I found that the trip that I took with Chairman Joe Wilson to the lab with remains in Honolulu, and our trip to the jungles in Vietnam, where incidentally we personally climbed down hills with the crew. And I was just very—it was an eye-opener for me. I didn't know that there was such a vast team working on this.

We were at a site where two American pilots had crashed into a mountain and they were excavating and finding out what they could. And there were the pictures of the two pilots. We went to the site.

I did ask one of them, I said, "Are families interested in this?" And the lead of the team there said, "In some cases, yes. They even come to the site to see how we are doing. Others, I guess it has been so many years, that it is even hard to find relatives."

But all in all, I was very, very impressed with this trip and with the amount of time and money that we put into this. And I want to thank the Chairman for inviting me on that trip. It was an eye-opener for me.

I understand there have been many challenges in this endeavor. However, I know Major General McKeague and have full faith in his capabilities to resolve the failures in the JPAC office. He is a proven leader and I look forward seeing the positive impacts of the reforms that he will need to make.

I have a question for both of you. I appreciate the data provided in the report and the recommendations to help the POW/MIA accounting community to improve operations. But I am curious to know if, through your interactions and awareness of the operations today, is the community engaged and postured to increase the accountability? And what steps has JPAC office taken or will take to improve the operations?

I guess we will begin with you, Miss——

Ms. FARRELL. Yes, thank you.

Again, in order for DOD to meet this mission, it is going to take the collaboration of the entire accounting community. If JPAC alone were to develop or update its current operational plan and how it plans to proceed to address the goal of 200 and it does not take into account what the other key players have to do in order to finish the mission, they will not be able to say in 2015, "Yes, we have met that goal."

It is very important that all of the community be included in the planning, have goals, understand their roles and responsibilities, how they are going to leverage off of each other in order to attain that goal. And right now they are not positioned to do so.

Ms. BORDALLO. I see. So you don't have too much faith in this. Is that what I am hearing?

Ms. FARRELL. At this point there is not a plan for the community to reach that goal.

Ms. BORDALLO. And Mr. Cole?

Dr. COLE. I politely disagree with that assessment. The answer to every great question is "it depends." And it depends on what kind of identifications you want to produce for 200.

If you want to produce 200 identifications solely from field operations, and that is a procurement process of bringing new remains

into the laboratory, the flow of remains right now, you see in my statement, it is way too low.

The field operations have failed. That is—in fact, it is important to emphasize that is what is dysfunctional at JPAC. I never said that the entire command was dysfunctional.

Now, if you want to make 200 identifications from disinterments, you could do that. We are making 30 to 50 a year right now from the disinterments from the Punch Bowl of Korean war unknowns, well, Congress changed the name of all this to missing persons in 2009.

But there is a lot of what I call DOD interference—maybe that is too strong of a word—in the scientific approach to the disinterments from the National Memorial Cemetery of the Pacific. If they had a free hand in the World War II exhumations, for example, if the Department of Navy would stop blocking the exhumation of the Arizona, for example, or the Inora Maru, there would—the flow of human remains into the laboratory would be in the hundreds.

And it is very low cost. In fact, it is revenue neutral for the lab because it is reimbursed from an open Army allotment. Right?

So it is not from a field. You could do it.

Ms. BORDALLO. Mr. Cole, my time is up here, but I just wonder, what are the recovery numbers now?

Dr. COLE. Sorry, I have those, but may I respond later with that?

[The information referred to can be found in the Appendix on page 61.]

Ms. BORDALLO. Clearly. Yes.

Dr. COLE. Absolutely.

Ms. BORDALLO. I just—

Dr. COLE. The accessions numbers are on the—I think the last page of my prepared statement.

Ms. BORDALLO. Very good. All right.

Well, thank you very much.

And thank you, Mr. Chairman.

Mr. WILSON. And thank you Congresswoman Bordallo.

We now will proceed with Congressman Austin Scott of Georgia.

Mr. SCOTT. Thank you, Mr. Chairman.

I have questions for both of you, so I am going to try to move fairly quick.

Dr. Cole, I listened to your testimony and you talked about the quantifiable metrics. I mean, the question is, quite honestly, or I think your statement is, without those metrics, how do you hit the goal that you have? And maybe the DOD doesn't or won't accept the metrics.

But more importantly, you talk about other countries that are doing this and that other countries have a better model.

Which country do you believe has the best model and the best practices that we could mirror with minor modifications in the United States to help improve this process?

Dr. COLE. Once again—that is an excellent question, by the way. I wanted to make a distinction between the procurement process and the laboratory operations.

The laboratory operations, the JPAC still are—that is the international standard. That is the gold standard. Others aspire to be like the JPAC CIL. So they write the regs [regulations] ; they write



the ICRC [International Committee of the Red Cross] regs, that sort of thing.

The procurement side, on the other hand, the two outstanding examples are, first, Argentina, where they recover victims from the Dirty War. That is an incredibly politically charged environment they work in. They have a very small budget. And so they have to produce results, because if they go out and make a—it is always a big media show. If they dig in them wrong place and find nothing, then the opposition says, “See, these people don’t know what they are doing.”

The other one that is incredibly impressive is the activities in Bosnia to recover and identify the remains from the war there.

I was in Sarajevo a year ago to take a look at how that operation—because the attempts by the Serbians to disguise the massacres and to move remains from various open graves and that sort of thing, and to be able to sort that out, they are extremely well-organized.

So their procurement process in Argentina and in Bosnia, we could learn a lot from them.

Mr. SCOTT. Okay. Thank you for that question.

Ms. Farrell, if you were in control, what would the idea of structuring the chain of command look like?

Ms. FARRELL. It would be more centralized. GAO is not presenting here is the organizational structure that DOD should go to. We are noting that with these multiple chains of commands, the focus has been on disputes, rather than unity of command. The focus has not been on what are the requirements and what are the resources needed for those requirements.

We present five possible options for the organizational structure in our report that we surveyed members of the accounting community, and those are possibilities. There could be another structure. But the ones that we present have a more centralized chain of command.

Mr. SCOTT. Do you have a preference in those five recommendations?

Ms. FARRELL. No, we do not.

Mr. SCOTT. But do you?

Ms. FARRELL. No, I do not. There is never one right way. There can be multiple ways to go.

But, I mean, we looked at possible mergers. We looked at whether the Under Secretary for Personnel and Readiness should perhaps be in charge instead of the Under Secretary of Policy.

There are advantages and disadvantages with each of these options. But this is a choice that DOD has to make.

Mr. SCOTT. The bottom line is it is important to put the right person in charge—and that we have a centralized chain of command for it, I gather, from what you have said.

Mr. Chairman, out of respect for time and other members, I will yield the remainder of my time.

Mr. WILSON. Thank you very much, Congressman Scott. We now proceed to Congresswoman Niki Tsongas of Massachusetts.

Ms. TSONGAS. Well, I appreciate very much your testimony today and sort of highlighting the many challenges, if not dysfunctions, that are currently in place.

It is not an easy thing to shed light on something—to shed that kind of dysfunction on an area that is so important not only to our families, but as I recently learned, to those who have served with some of those who were lost.

I represent Concord, Massachusetts, and earlier this week one of my constituents, retired Navy Captain Thomas Hudner, returned from a sadly unsuccessful trip to North Korea aimed at locating the remains of his wingman, Ensign Jesse Brown, who was the U.S. Navy's first African-American aviator.

Ensign Brown was tragically shot down over the Chosin Reservoir battleground in 1950. Captain Hudner valiantly crash-landed his own plane in a bold attempt to rescue his friend, when it was clear that he would not be able to free himself from the wreckage of his plane.

And unfortunately, it proved impossible. And so, at the age of 88, Mr. Hudner returned to North Korea to uncover the location of his friend, but was thwarted by a flooding from recent monsoons.

So we see—we know how important it is to the families of those who have lost loved ones, but clearly also to those who have served with them as well. So I appreciate all the effort you are bringing to sort of making this process more functional and more successful.

Mr. Cole, you have mentioned the fact that our roles on the production side are not always consistent with international standards. And in response to Mr. Scott, you highlight Argentina and Bosnia.

What do they do that we could do? I mean, what is the difference?

Dr. COLE. Pretty simply, Congresswoman, they use scientists.

Ms. TSONGAS. Scientists to?

Dr. COLE. When they go into a field to look for remains, they have a strategy to look for them, and they use archaeologists and anthropologists.

Until recently, the JPAC model for procurement was to use historians. Now, according to the Daubert standard, a historian is not a scientist. This has been adjudicated you know in the courts in this country.

So the difference is, if you look at how—when Australia, when looking for the ANZUS [Australia, New Zealand, United States Security Treaty] missing from World War I, the team consisted of battlefield archaeologists. When the Argentines go looking for the victims of the Dirty War they use—I have met the guys who do it—archaeologists and anthropologists.

For years, the JPAC procurement method has been to send historians into the field to look for human remains.

Ms. TSONGAS. And do you know why we don't adhere to the international standards and use archaeologists, rather than historians?

Dr. COLE. I can only tell you it was partly because there was no SOP; there was no direction to say do it a different way. And that department was left to itself. They were assigned authority by the JPAC commander in 2005 to take complete control of the procurement program. They ran it themselves.

Ms. TSONGAS. So to change that SOP, the standard operating procedure, where would that have to come from?

Dr. COLE. You do it like that. There is a, well I wrote a procedure into the standing operating procedure to amend the SOP. It can be done on a semiannual annual basis. It is a very simple thing.

Ms. TSONGAS. And do you think the goal of locating 200 remains annually is doable, were we to shift to that kind of process?

Dr. COLE. Yes. I will tell you why. Because I once said to the commissioning DCO, I said, "I am willing to be in charge of that department and you hold me accountable to it. I can do this."

So my personal reputation, yes. And the skill, the tremendous skill that you find at JPAC is, if it is channeled in the right direction, these are really good people. What has been missing is this management and leadership which has been pointed out by the GAO. Instead of saying, come in to the office and figure out what you want to do today, I say to you, "Congresswoman Tsongas, go to PNG [Papua New Guinea] and look for bombers," you know, that sort of thing.

Ms. TSONGAS. Thank you, Mr. Cole.

Dr. COLE. Thank you.

Ms. TSONGAS. And thank you for your analysis.

Mr. WILSON. Thank you very much, Ms. Tsongas.

We will now proceed to Congresswoman Kristi Noem of South Dakota.

Mrs. NOEM. Thank you.

I thank both of you for being here.

Dr. Cole, Austin Scott and Representative Tsongas have both brought up a topic that I was concerned about and thinking about as well, is these other countries.

Can you tell me what their procurement numbers are per year that they are outperforming the United States by in Argentina and Bosnia? What kind of results are they gathering compared to what we are gathering?

Dr. COLE. Well, unfortunately, that is not the correct—we are not comparing—

Mrs. NOEM. I understand we have different budgets, different numbers of people—

Dr. COLE. Yes. In Argentina, you are looking for hundreds, maybe thousands. In Bosnia, it is probably, you know, tens of thousands.

In the United States, listen, this is part of the problem is that the list in the United States includes everyone who was classified by the War Department and after Korea as non-recoverable—not unrecovered, they were casualty status 6, non-recoverable.

So we have all of the losses at sea and so forth are still on the U.S. list.

The lists for Bosnia and Argentina are very refined.

Mrs. NOEM. So you are saying potentially procurement that we have in front of us could be more difficult compared to what they are facing?

Dr. COLE. No. Ours could be much, much more—

Mrs. NOEM. Much easier?

Dr. COLE [continuing]. Much more focused, if we would prioritize the search list, just like they have done in those countries. Because one of the key differences in all of this is we have a lot more money than they do.

So we can afford to do things that they can't.

Mrs. NOEM. Could you tell me a little bit about your report, when it was amended, who it was that actually amended that report?

Dr. COLE. You mean the SOP?

Mrs. NOEM. Yes.

Dr. COLE. Just to be clear, no one amended——

Mrs. NOEM. You said it appeared foreign to you, the one that is——

Dr. COLE. That is the SOP. The SOP.

Mrs. NOEM. Yes.

Dr. COLE. I don't know who did it.

Mrs. NOEM. So you turned it over to whom specifically?

Dr. COLE. It was a deliverable to the commissioning deputy commanding officer.

Mrs. NOEM. Okay. And then from there, you had no indication of what you knew they were going to be doing with it. Your job was done. You turned it over to——

Dr. COLE. Well, I was hoping that I would be involved and at least see what the revisions were.

Mrs. NOEM. Okay.

Dr. COLE. I sort of talked to the guy who edited the thing, but that was it.

Mrs. NOEM. And then once it was edited, you are saying it is posted online, as well. But it is in its amended form, not in the original form.

Dr. COLE. Well, that is their prerogative. You know, as a management consultant, my job is not to tell someone how to run their business—to say, "If you want to run it like this, this is what it looks like. If you want to run it like that, it looks like that." So this was my attempt to say, "If you want to run this business according to best international standard, do this."

Mrs. NOEM. Do you believe that they are implementing the SOP?

Dr. COLE. No.

Mrs. NOEM. As amended?

Dr. COLE. No.

Mrs. NOEM. So why take the trouble to even go forward and amend it as they have if they are not planning on following it?

Dr. COLE. You are asking the wrong guy.

Mrs. NOEM. Okay. Thank you.

Ms. Farrell, I have a question for you. You talked about changing the chain of command and making it much more centralized. Do you believe the DOD has the authority to do that within itself to centralize that chain of command if they believe that would make them much more accountable and much more effective in what their job in front of them is?

Ms. FARRELL. Yes, I believe they do. I mean, some positions are established, as you know, by statute. But the statute does not say how DOD has to organize the accounting community. DOD has looked—a few years ago, there was a 2006 IDA [Institute for Defense Analyses] study that raised some questions about DPMO not being accepted, and perhaps there should be steps taken. And we know that there was some examination but not an indepth examination following that as to whether or not the DPMO should stay

with the Under Secretary for Policy or be moved to the Under Secretary for Personnel and Readiness.

Mrs. NOEM. Do you believe that there are some actions that could be taken by Congress that could have some impact on centralizing that chain of command as well?

Ms. FARRELL. I think what you are doing today by providing oversight and focusing on the issue is desperately needed. I think timeframes are needed for DOD to move ahead in order to reach the 2015 goal. I think the issue that Dr. Cole brought up about priorities is a—one of the findings in our report that although DOD has developed criteria to categorize those that are feasible for recovery from Vietnam, they have not done so for the other 73,000 from these other conflicts. So there is much that has to be done in order to move forward to 2015.

Mrs. NOEM. Are you aware of any consequences that have been laid out if those timeframes are not met with the levels of 200 findings per year?

Ms. FARRELL. Well, the findings from our report are to help DOD address the issue of how you are going to reach that goal of 200. Right now, I think there is enough evidence that shows there is a total lack of confidence by those in the accounting community that the status quo has the capacity and the capability to get there or that steps will be taken with the current status quo. And, again, action needs to be taken with time frames instead of waiting until 2015 and focusing on this. Three years have passed, and now is the time to send in some interim steps in order to get there.

Mrs. NOEM. Thank you. I appreciate you both being here.

Mr. WILSON. And thank you, Mrs. Noem.

We now proceed to Congressman Colleen Hanabusa of Hawaii.

Ms. HANABUSA. Thank you, Mr. Chair. And thank you for letting me participate in this hearing.

Like Ms. Tsongas, I have a personal interest. I have a husband whose cousin, a West Point grad, is still MIA in the Korean War. And we have been watching JPAC as a result of that.

So first, I think one of the critical issues, and Ms. Farrell, I will begin with you, has been that we are not in a contained situation. It is not like just Bosnia and looking for remains or Argentina, and geographically defined. I think the GAO report makes it very clear that one of the issues we have is that for PACOM's jurisdiction, and for World War II, we are looking at numbers of about 80,000 people that are out there, however they may be classified.

Dr. Cole says, you know, we should focus. I understand what he is saying, but the result is, there is a lot. And there is also the inability to access in certain areas. Because my understanding is one of the problems we have that, for example, other countries in Asia may not have, is they may have better relationships into the areas where they are trying to procure, using Dr. Cole's statement.

I think that is also something that GAO report concluded, as well. Am I correct?

Ms. FARRELL. If you are talking about there needs to be agreements or some type of mechanisms in place other than what PACOM has taken steps with EUCOM [U.S. European Command] or their area responsibility, you are absolutely correct.

Ms. HANABUSA. And even within the PACOM jurisdiction, to get to certain areas to procure where there would have been, obviously, remains historically defined, you still have to have relationships with those areas and the ability to send in archaeologists or historians or anyone that we need to start the first step with this procurement. That is also understood, right?

Ms. FARRELL. Correct.

Ms. HANABUSA. Now, your focus of your report is that there needs to be—the community working together. But you do not make a recommendation as to how they would work together.

So who would make that decision—not GAO. But who would make that decision as to how this community will finally focus and get together?

Ms. FARRELL. Well, I think currently, it is up to the Secretary of Defense and the Deputy Secretary. We do know that after our report was issued, the Under Secretary for Policy did brief Secretary Hagel regarding the findings and, specifically, the recommendation on examining options for the organizational structure. And we know that taskings were sent out to DPMO to look at details regarding implementation cost, if any, that would be associated with these various options and report back.

We do not know the status of that. And we do not have any documentation that shows exactly what they are looking at. But this is an issue, because it does involve so many chains of command, would have to be, at least I would think, up at the Deputy Secretary level.

Ms. HANABUSA. Thank you.

Dr. Cole, you come to JPAC as a fellow originally. Is that correct?

Dr. COLE. That is correct. I still am.

Ms. HANABUSA. You still are a fellow. And how long are you going to be at JPAC?

Dr. COLE. Depends on what happens today, I think.

[Laughter.]

But the ORISE fellowship program provides for a 5-year maximum.

Ms. HANABUSA. I see.

Dr. COLE. And I am into 3½ years.

Ms. HANABUSA. Three-and-a-half years.

Okay, Dr. Cole, who exactly, either were the person who brought you, or you directly report to as the fellow?

Dr. COLE. I report to lab management. No one brought me to JPAC. I was a management consultant and working the telecommunications business in Africa for 12 years. Before that, I was with the RAND Corporation. And when I was with RAND, I did a lot of work with the CIL-HI [U.S. Army Central Identification Laboratory—Hawaii], the Central Identification—

Ms. HANABUSA. I am running out of time. I am sorry to put you off.

Dr. COLE. Yes. So that is how I came back to that.

Ms. HANABUSA. So that would have been the—

Dr. COLE. CIL-HI.

Ms. HANABUSA. Okay. Now, your report, so I understand it, is you are not critical of the lab functions. You believe the lab func-

tion is really the state of the art. You are critical of the procurement aspect of it. Is that also correct?

Dr. COLE. No, I am not critical of anything. I reported the findings.

Ms. HANABUSA. So you feel that the way JPAC is functioning—I thought you said they were inefficient. But maybe the word is inefficient is in the procurement portion of it.

Dr. COLE. That is correct, ma'am.

Ms. HANABUSA. So the—everything else—in other words, if they were to get more remains to work on, then you feel that everything else would fall into place, the four steps. And you would have the identification—

Dr. COLE. Reasonably well, yes.

Ms. HANABUSA. So you don't take issue with the identification report, which is your end product. You are just saying that there is not enough done in terms of the procurement aspect of it.

Dr. COLE. That is correct. The identification step—for example, there—that is confirmed by external consultants. And then there is a DOD procedure called the AFIRB, the Armed Forces Identification Review Board. If there is a problem with that identification, there is a process to review it. So there is a lot of internal controls. Also, there is accreditation in the lab that looks after a lot of those procedures.

Ms. HANABUSA. Thank you.

Mr. Chair, my time is up. Thank you.

Mr. WILSON. And, Ms. Hanabusa, thank you very much.

And we now proceed to Congressman Rich Nugent of Florida.

Mr. NUGENT. Thank you, Mr. Chairman, for letting me sit in on this very important hearing. And I want to thank both of you for being here. I do not sit regularly on this subcommittee. But I do have great interest—you know, I have three sons that currently serve in the United States Army, and have had a brother in Vietnam and myself serving.

So I am concerned when I hear from the GAO, obviously, that you have two organizations that seem to have competing interests. When we have a single common goal, is to recover the remains of our missing servicemen. And you hit on a couple of areas, in particular, in regards to chain of command. And so, I guess, I am trying to figure out, A, this all falls under DOD, correct?

Ms. FARRELL. Correct, the accounting community in DOD. There are other stake holders, such as the State Department. But we are talking about the community within DOD.

Mr. NUGENT. So, really, the Secretary of Defense has the ability to—or does he have the ability to consolidate those two under one chain of command for the purpose of, at least, accountability to take the turf war out of it? Does he have that ability?

Ms. FARRELL. Yes, he does. And that is part of what we presented in terms of various options of how the Secretary could reorganize the accounting community to have a more centralized chain of command. You still would probably have some key players outside of that chain. Because this is quite a process. I mean, it starts with DPMO. And in terms of—they are the ones that maintain the list that has the 83,000 on it.

Mr. NUGENT. Right.

Ms. FARRELL. And it ends with DPMO. And they are the ones that decide, "Okay, this person is accounted for." And they come off. But there are so many players between. I mean, JPAC is one player. We have mentioned the Armed Forces DNA lab, the military services with their casualty offices, as well. So you would never be able to get everything under one chain.

Mr. NUGENT. I understand.

Ms. FARRELL. But the major players, we feel that it could be much more streamlined and under a more centralized chain of command.

Mr. NUGENT. I appreciate that.

Dr. Cole, I hate the term, "procurement." I understand why it is what it is, obviously. I just—I don't care for the term. But the recovery of remains, and I agree with you that you really need to have a focus as to where you are going to look. Because, you know, you talked about ships that have been sunk. Obviously, you know where the remains are located within the body of that ship, but it gets more difficult obviously when you are looking at single remains or a remains of an aircraft that is down.

Ms. Hanabusa touched on the aspect of some areas we can't get into. North Korea is a difficult one in regards to dealing with them.

So I would think that by focusing, let's say, in Vietnam, it would be—for JPAC or DPMO to target an area that we know we have a number of remains that are more recent than Korea and more recoverable than North Korea, that we would target and look to recover as many remains. Because we do know, from DPMO, that those that we believe are there in Vietnam.

Why wouldn't they take that as a goal to meet that 200 but to target a particular area and say, "Okay, we have done as much in that area as we can unless something happens"? Why wouldn't we do that?

Dr. COLE. I agree with you about the prioritization. The way that it is being approached at the Central Identification Lab, I know a little bit about this because since I did this report, what I have been working on is something called the Solvability and Resolvability Project.

The identification is based on biological evidence. So what we are doing is a review of all of the biological evidence from the missing persons and the unknowns to see if we can build a common database of the two.

The recovery locations, that is a matter of what I described earlier. That is the Command-Authorized Research Program. It says start here. That is, as you will see from my statement, that is happening now in Papua New Guinea. It is a zone-by-zone recovery effort.

But that is exactly the kind of methodological approach that has been missing and really needs to be implemented.

Mr. NUGENT. I appreciate your comments. And Mr. Chairman, my time has expired and I yield back. Thank you.

Mr. WILSON. Thank you very much, Congressman Nugent. And thank you for your family's past and current service.

We will be concluding with Congresswoman Jackie Speier of California.



Ms. SPEIER. Mr. Chairman, thank you for allowing me to sit in on this hearing as well. I too am very concerned about this issue and appreciate the chair and ranking member taking this issue on.

I am really very saddened by the reports, by the conclusions and by our gross inability to do something that seems so straightforward. And it is like we are the gang that can't shoot straight, so to speak.

It sounds like this is a gross turf battle that has been going on for a very long period of time, that we have studies dating back to 2006 that make recommendations that seem pretty logical and should be embraced and we move forward.

I mean, if we can go to war and succeed and yet we can't recover the remains when there is a systematic way of doing so, how can we explain it to the American people? How can we explain it to the families? To, as Congresswoman Tsongas said, to those that served with them?

Let me start with the numbers—83,000. Dr. Cole, you suggested that there is a prioritization here. Of that 83,000, are we talking about some that are lost at sea that are unrecoverable, and if so, should we reduce that number to something that is more realistic?

Dr. COLE. The short answer is yes. It should—the issue is not to take people off a list, saying we are not going to do research. It is to prioritize how we are going to allocate resources.

So for example, from World War II, there are approximately 78,000 who were given the casualty status 6, which is non-recoverable. Of those, approximately 55,000 are associated with at-sea incidents. So that would leave 23,000 somewhere else.

So the at-sea incidents are the ones that I would say should be looked at first to determine if we want to pursue those. And then if the decision is, say, half of them or whatever, then focus on the ones that are associated with losses on land. And then, to work that way.

In Korea, actually it is a very productive place to work. The recoveries that were done in the 1990s, you will see from my statement, produced over 100 identifications from the recoveries there. So getting back into North Korea could actually be very productive.

But that list, as well, if memory serves me right from my RAND report, there are approximately 350 at-sea losses in Korea.

Ms. SPEIER. Okay, so one of the very first things we should do is really kind of look at that number and target those areas where we could be most efficient and effective at recovery?

Dr. COLE. If I could be—politely disagree with you, please. What should happen first is the creation of a coherent list because there isn't one right now.

And so, for example, in 2009, Congress changed the accounting methods. There is only one right now. And that is to recover the remains and if they are not identifiable by visual inspection, they have to be identified by a practitioner of an appropriate forensic science.

That is only one authorized accounting method. Now, you are not going to recover a lot of these remains that were lost at sea. But yet the mission now, as stated, is they can't be taken off the list until their remains are recovered. So at the time, they were unre-

coverable, the NDAA [National Defense Authorization Act] 2010 changed that to non-recovered. It is a great distinction.

So I think there has to be a review of who is on the list now, who are we looking for, and to reconcile some of the cases that we know will never be resolved. That is the first step, in my view.

Ms. SPEIER. And you also recommended that we need more scientists involved in this process and less historians.

Dr. COLE. Not more scientists, more scientific approach to the matter. Because at the end of the day, the identification report by law is produced by forensic evidence, not by circumstantial information. And this is a consequence of NDAA 2010 that has been in force since October 2009.

Ms. SPEIER. Dr. Cole, I would like to get a question to Ms. Farrell. My time is almost up.

Ms. Farrell, it appears that you did a survey and that overwhelmingly it was the view of those who participated that a more centralized chain of command is desperately needed. Is that where the crux of this really comes in?

Ms. FARRELL. That is the crux of it.

We administered the survey to 17 organizations. We received a single response from each organization. We did not receive a response from the Defense Intelligence Agency that has a role in terms of providing intelligence-sharing to non-intelligence agencies, as well as the cost assessment and program evaluation group did not respond.

But overwhelmingly, 12 of 14 thought that another organization would be more effective. We also saw disconnects between the top leadership in terms of PACOM and the Under Secretary for Policy's office believing that the current structure allows ample opportunity for senior leadership involvement, which shows a disconnect with the other organizations that were noting the exact opposite, in terms of no confidence that the current organizational structure could increase its capability and capacity to reach the 200.

Ms. SPEIER. Thank you. My time is expired.

Mr. WILSON. Thank you very much, Ms. Speier.

And I would like to thank both witnesses today. I appreciate actually both of you were very candid. Dr. Cole, thank you for your emphasis with Ms. Speier about a coherent list. That just must be done and, goodness, thank you, Ms. Farrell, in regard to structure.

We will be having a follow-up hearing with DOD personnel, and I truly look forward to them addressing the issue and maybe—hopefully, actually letting us know that there has been a structural advance and reform.

Again, thank everyone, the subcommittee, for being here. I want to thank the professional staff. They have just been so effective on this extraordinary issue, which has been so clearly identified as of concern to families, but also for service members, the people they have served with, but also the reassurance that we indeed leave no one behind.

And that is what I saw, the commitment that I saw, and determination, when I visited the hillside, with Congresswoman Bordallo, in Vietnam.

We are now adjourned.

[Whereupon, at 9:10 a.m., the subcommittee was adjourned.]

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# **A P P E N D I X**

AUGUST 1, 2013

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**PREPARED STATEMENTS SUBMITTED FOR THE RECORD**

AUGUST 1, 2013

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**Statement of Hon. Joe Wilson**  
**Chairman, House Subcommittee on Military Personnel**  
**Hearing on**  
**Department of Defense's Challenges in Accounting for**  
**Missing Persons from Past Conflicts**  
**August 1, 2013**

The hearing will come to order. Everyone is welcome to the Subcommittee on Military Personnel on the topic of "The Department of Defense's Challenges in Accounting for Missing Persons from Past Conflicts." Today the Subcommittee will continue its oversight on the important issue of POW/MIA recovery. Last August, Congresswoman Bordallo and I had the opportunity to visit the Joint Personnel Accounting Command's (JPAC) headquarters as well as a field recovery team on the side of a mountain in Vietnam. I was extremely impressed with the professionalism and work ethic of our service men and women as they worked in extreme heat and dangerous conditions to recover the remains of missing persons from an airplane crash site. There are many dedicated military people involved with this effort. The Joint U.S.-Vietnamese team was inspiring for its determination of recovery of remains. They share the desire for the fullest possible accounting with the many family members of those who are still missing. We, as a nation, owe the proper emphasis, resources, and priority of effort to account for our missing persons from past conflicts and to bring closure to their family members.

That is why this subcommittee, then chaired by Rep. Susan Davis, in the National Defense Authorization Act for Fiscal Year 2010 required the Secretary of Defense to increase significantly the Department's capability and capacity to account for missing persons, with the objective that the POW/MIA accounting community could identify at least 200 missing persons annually beginning in fiscal year 2015.

In May 2012, after 3 years of little apparent progress by the Department of Defense toward achieving the 2010 mandate, this committee directed a Government Accountability Office review. There have been approximately nine studies over the past decade on ways to improve the accounting community's effort, to include a recent internal review of JPAC's procedures conducted by Dr. Paul Cole who is employed as a fellow at JPAC.

Our goal today is to better understand the ability of the POW/MIA accounting community to meet the requirements of the National Defense Authorization Act for Fiscal Year 2010, and to help

the Department build the capability and capacity to identify 200 missing persons per year by Fiscal Year 2015.

I would like to welcome our distinguished witnesses:

- Ms. Brenda S. Farrell, Director, Defense Capabilities and Management, U.S. Government Accountability Office; and
- Dr. Paul M. Cole, Ph.D., Oak Ridge Institute for Science and Education Fellow with the Joint Personnel Accounting Command, Central Identification Laboratory, U.S. Pacific Command.



**Statement of Hon. Susan A. Davis**  
**Ranking Member, House Subcommittee on Military**  
**Personnel**  
**Hearing on**  
**Department of Defense's Challenges in Accounting for**  
**Missing Persons from Past Conflicts**  
**August 1, 2013**

Mr. Chairman, I would also like to welcome Dr. Cole and Ms. Farrell. Thank you all for being here with us.

I understand this hearing is the first of several that the Subcommittee is planning on holding on the effectiveness and efficiency of the POW/MIA Accounting Community. Mr. Chairman, I hope that the next hearing we hold will include the appropriate representatives from the Department of Defense.

Ultimately, it is the Secretary of Defense's responsibility for ensuring that the Department meets the legal requirement to achieve at least 200 identifications a year beginning in 2015. Therefore, it is only appropriate that we have the representatives from the Department of Defense before the Subcommittee to understand what actions, if any, the Department is undertaking to truly address the concerns that have been raised in the Cole report and the recent GAO report.

The culture of service instills within each service member that no one should be left behind on the field of battle. We have a moral responsibility to those who are missing and remain unaccounted for to be returned home to their families and loved ones. As the GAO report makes clear, weak leadership, fragmented organizational structure, and the lack of clearly articulated roles and responsibilities have hampered the effectiveness of this community for years. Given the current budget situation, we can no longer afford to let these concerns slide. It is time we focus our attention on how to make the POW/MIA Accounting Community more effective and efficient to be able to meet the goal of identifying at least 200 sets of remains a year by 2015.

I look forward to hearing from our witnesses and having an open and productive dialogue on the issues and challenges that our two witnesses have identified within the POW/MIA Accounting Community. Thank you again for being here today.



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United States Government Accountability Office

Testimony

Before the Subcommittee on Military  
Personnel, Committee on Armed  
Services, U.S. House of Representatives

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For Release on Delivery  
Expected at 8:00 a.m. EDT  
Thursday, August 1, 2013

## DOD'S POW/MIA MISSION

### Capability and Capacity to Account for Missing Persons Undermined by Leadership Weaknesses and Fragmented Organizational Structure

Statement of Brenda S. Farrell, Director  
Defense Capabilities and Management

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Chairman Wilson, Ranking Member Davis, and Members of the Subcommittee:

Thank you for providing me with the opportunity to discuss GAO's findings and recommendations about the Department of Defense's (DOD) missing persons accounting mission from our recently issued report, *DOD's POW/MIA Mission: Top-Level Leadership Attention Needed to Resolve Longstanding Challenges in Accounting for Missing Persons from Past Conflicts*.<sup>1</sup> DOD reports that more than 83,000 persons are missing from past conflicts in Vietnam, Korea, the Cold War, the Persian Gulf, and World War II. Since the early 1970s, DOD has identified the remains of and accounted for approximately 1,910 persons. Several DOD components and organizations, collectively known as the missing persons accounting community, have a role in accounting for missing persons. Between 2002 and 2012, DOD accounted for an average of 72 persons each year. In 2009, Congress established an accounting-for goal in Section 541 of the National Defense Authorization Act for Fiscal Year 2010.<sup>2</sup> This act required the Secretary of Defense to provide such funds, personnel, and resources as the Secretary considers appropriate to increase significantly the capability and capacity of DOD, the Armed Forces, and commanders of the combatant commands to account for missing persons, so that the accounting community has sufficient resources to ensure that at least 200 missing persons are accounted for annually, beginning in fiscal year 2015.<sup>3</sup> The law also added all World War II losses to the list of conflicts for which DOD is responsible, thus increasing from about 10,000 to 83,000 the number of missing persons for whom DOD must account.

In 2012, in a committee report to accompany a bill for the National Defense Authorization Act for Fiscal Year 2013, the House Armed Services Committee mandated that we review DOD's efforts to increase its capability and capacity to account for missing persons.<sup>4</sup> Our resulting

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<sup>1</sup>GAO, *DOD's POW/MIA Mission: Top-Level Leadership Attention Needed to Resolve Longstanding Challenges in Accounting for Missing Persons from Past Conflicts*, GAO-13-619 (Washington, D.C.: July 17, 2013).

<sup>2</sup>National Defense Authorization Act for Fiscal Year 2010, Pub. L. No. 111-84, §541 (2009) (appended as a note below 10 U.S.C. §1509).

<sup>3</sup>In this statement we refer to this statutory requirement as the accounting-for goal.

<sup>4</sup>H.R. Rep. No. 112-479 at 153 (2012).

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report focused on DOD's efforts to accomplish the missing persons mission in accordance with the accounting-for goal established by Congress. In my statement today, I will focus on three key issues we identified in our report, specifically: (1) the accounting community's organizational structure, (2) the lack of clarity regarding community members' roles and responsibilities, and (3) DOD's planning to meet the statutory accounting-for goal. Our full report also discusses challenges in other areas, such as processes for conducting operations outside of U.S. Pacific Command's (PACOM) area of responsibility, criteria for prioritizing potentially recoverable missing persons, and communication efforts among community members.

To identify and assess DOD's efforts to accomplish its mission to account for missing persons, we analyzed guidance and requirements, discussed accounting efforts and the structure of the community with community members, and surveyed accounting community members and other DOD stakeholder or leadership organizations. Our work underlying this statement was conducted in accordance with generally accepted government auditing standards from June 2012 to June 2013. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. Additional details on our scope and methodology are contained in our recently issued report.

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## Background

Many DOD organizations, collectively known as the missing persons accounting community, have a role in accounting for the missing, as discussed below.<sup>5</sup> The Under Secretary of Defense for Policy (USD Policy) and U.S. Pacific Command<sup>6</sup> (PACOM) are the two top-level leadership organizations in the accounting community.

- USD Policy is responsible for developing, coordinating, and overseeing the implementation of DOD policy to account for personnel unaccounted for as a result of hostile acts. The Deputy Assistant Secretary of Defense for Prisoner of War/Missing Personnel Affairs, who reports to the Under Secretary of Defense for Policy, is responsible for, among other things, exercising policy, control, and oversight for the entire process of accounting for missing persons; monitoring and advocating for program funding requirements and resources for the mission; and leading and coordinating related communications efforts, such as the public outreach program.
- The Defense Prisoner of War/Missing Personnel Office (DPMO) is responsible for, among other things, overseeing archival research and standardizing procedures for methodology and prioritization; rendering final analytic judgments as to what constitutes fullest possible accounting for each case by identifying possibilities for future action, or determining when no further pursuit is possible; and defining, maintaining, and enumerating accounting lists. The DPMO Director is responsible for overseeing the execution of DPMO's mission and duties. The Deputy Assistant Secretary of Defense for Prisoner of War/Missing Personnel Affairs serves as the DPMO Director and reports to USD Policy in that capacity as well.

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<sup>5</sup>Section 1509 of Title 10 of the United States Code defines the members of DOD's Prisoner of War/Missing in Action accounting community, who are assigned roles by statute or by DOD directives and instructions. See 10 U.S.C. §§ 1501(a) and 1509(b)(2); DOD Directive 5110.10, *Defense Prisoner of War/Missing Personnel Office (DPMO)* (Sept. 21, 2005); and DOD Directive 2310.07E, *Personnel Accounting—Losses Due to Hostile Acts* (Nov. 10, 2003, certified current as of Aug. 21, 2007). While many of these organizations have responsibilities outside of the missing persons accounting mission, only their roles for this mission are described here.

<sup>6</sup>PACOM is one of DOD's six geographic combatant commands. PACOM's area of responsibility encompasses about half of the earth's surface, stretching from the waters off the west coast of the United States to the western border of India, and from Antarctica to the North Pole.

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- PACOM exercises authority over the Joint Prisoner of War/Missing in Action Accounting Command (JPAC), which is responsible for conducting operations in support of achieving the missing persons accounting mission. In 2003 JPAC was established as a Joint Command by the merger of the Joint Task Force-Full Accounting with the Central Identification Laboratory – Hawaii in order to achieve unity of command, permanence of operational elements, and efficiency and effectiveness in the use of DOD's resources, as well as to strengthen the command and control of military forces in achieving the fullest possible accounting. JPAC's functions include analysis, archival research, investigations, recoveries, repatriations, identifications, and reporting. The Central Identification Laboratory is the laboratory component of JPAC.
  - The military services have a role, with their service casualty offices serving as the primary liaison for families concerning missing persons recovery and accounting. Officials from these offices also assist families and help explain the methods used to account for their missing loved ones. Additional activities include gathering family deoxyribonucleic acid (DNA) reference samples, coordinating responses to family inquiries and concerns, and maintaining family contact information.
  - The past conflict accounting section of the Armed Forces DNA Identification Laboratory conducts DNA analyses of remains of missing persons from past military conflicts for JPAC and its laboratory component, the Central Identification Laboratory, and maintains the past conflict accounting family reference sample database, to include processing of all DNA references. The Armed Forces DNA Identification Laboratory is part of the Armed Forces Medical Examiner System, which reports to the Army Surgeon General.
  - The Life Sciences Equipment Laboratory provides technical and analytical support to the accounting community, and is primarily tasked by JPAC's Central Identification Laboratory to analyze and identify life science equipment-related artifacts that have been recovered and may potentially be related to missing persons cases. The Life Sciences Equipment Laboratory is part of the Air Force Materiel Command.

In addition to these members of the missing persons accounting community, many other organizations play a role in the missing persons accounting process, including the Office of the Under Secretary of

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Defense for Personnel and Readiness, the Chairman of the Joint Chiefs of Staff, the Office of the Under Secretary of Defense for Intelligence, and the State Department. In addition, family and veterans organizations serve as constituency groups to the accounting community.

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Accounting  
Community's  
Fragmented  
Organizational  
Structure Exacerbates  
Weaknesses in  
Leadership

The department's response to the accounting-for goal established in the National Defense Authorization Act for Fiscal Year 2010 brought into sharp relief longstanding disputes that have not been addressed by top-level leaders, and have been exacerbated by the accounting community's fragmented organizational structure. As I will describe in more detail later in this statement, leadership from the Under Secretary of Defense for Policy and Pacific Command have been unable to resolve disputes between community members in areas such as roles and responsibilities and developing a community-wide plan to meet the statutory accounting-for goal. Further, the accounting community is fragmented in that the community members belong to diverse parent organizations under several different chains of command. With accounting community organizations reporting under different lines of authority, no single entity has overarching responsibility for community-wide personnel and other resources. For example, although the Deputy Assistant Secretary of Defense for Prisoner of War/Missing Personnel Affairs has statutory responsibility for policy, control, and oversight of the entire accounting process, JPAC—which performs investigations, recoveries, identifications, and other key functions—falls under the authority of PACOM, rather than reporting to the Deputy Assistant Secretary of Defense for Prisoner of War/Missing Personnel Affairs. As a result, no single entity can implement or enforce decisions without obtaining widespread consensus. We have previously reported that having a single designated leader is often beneficial because it centralizes accountability for achieving outcomes and can accelerate decision-making.<sup>7</sup>

Concerns have arisen over the years, both within and outside of DOD, with regard to whether the current organizational structure of DOD's missing persons accounting community enables the community to most effectively meet its mission. For example, a 2006 Institute for Defense Analyses study concluded that significant improvements could be made

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<sup>7</sup>GAO, *Managing for Results: Key Considerations for Implementing Interagency Collaborative Mechanisms*, GAO-12-1022 (Washington, D.C.: Sept. 27, 2012).

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by increasing the lines of coordination in the accounting community and recommended that the community acknowledge DPMO as the leader in the accounting effort. The study also described some of the problems associated with the current organization; for example, that DPMO does not have tasking authority over the other organizations, and that while there are multiple lines of authority, no one organization has effective authority over execution of the entire mission.

In our July 2013 report, we found that a majority of accounting community and DOD stakeholder organizations believe that an alternative organizational structure for the accounting community would be more effective. We administered a questionnaire asking representatives from each accounting community organization whether various options for reorganizing the missing persons accounting community could improve the community's ability to meet its mission.<sup>8</sup> One question asked respondents to rank five organizational options that would best enable the accounting community to meet its mission. We found that 12 of the 13 survey respondents who answered the question ranked an option with a more centralized chain of command as the most effective in enabling the accounting community to achieve its mission. Ten of these 12 respondents ranked the current organizational structure as the least effective or second least effective option for achieving the mission of the accounting community.

Responses to our questionnaire also demonstrated a lack of confidence about the current organizational structure among many community and DOD stakeholder organizations. For example, 13 of the 14 survey respondents indicated that the current organizational structure did not enable or only somewhat enabled the community to develop the required capability and capacity to achieve the accounting-for goal. In addition, 12 respondents indicated that the current organizational structure did not enable or only somewhat enabled the community to collectively determine necessary resources. Furthermore, 9 respondents indicated that the current organizational structure did not at all enable the accounting community to define and agree on their respective roles and responsibilities.

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<sup>8</sup>This questionnaire is reprinted in appendix I of our July 2013 report, along with a summary of the responses. For more details on the organizations that responded to the questionnaire and how we administered it, please see the scope and methodology section in appendix II of our July report. See GAO-13-619.



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In contrast, not a single organization we surveyed ranked the current organizational structure as the most effective organizational option, and only three organizations—USD Policy, PACOM, and JPAC—ranked the current organizational structure as the second most effective organizational option. Illustrating a disconnect between leadership’s perspective and the rest of the community, only two organizations in our survey—USD Policy and PACOM, the two top-level leadership organizations in the accounting community—responded that the current structure greatly enables appropriate senior leadership involvement. USD Policy and PACOM stated that all of the organizational options, including the current organizational structure, offer access to DOD senior leadership. In addition, senior officials from these offices questioned whether the benefit of reorganization would result in real change and would be worth undergoing turmoil in the organization. While we recognize that a reorganization may pose challenges, such as creating the potential for short-term impacts on operations due to disruption,<sup>9</sup> our findings in our July 2013 report show that the majority of accounting community members and other stakeholders lack confidence in the status quo, and we believe that the potential benefits of reorganizing and/or clarifying roles and responsibilities could outweigh those challenges.

We recommended in our July 2013 report that the Secretary of Defense examine options for reorganizing the accounting community, to include considering organizational options that provide a more centralized chain of command over the accounting community’s mission. DOD concurred with this recommendation, stating that it will consider options for reorganizing the accounting community, ranging from maintaining the status quo to consolidation of DPMO and JPAC, as well as examining whether the Life Sciences Equipment Laboratory might also be included in this consolidation. DOD explained that the consolidated organization could be placed under the Office of the Secretary of Defense or a non-geographic combatant command to facilitate its worldwide mission and avoid competition for resources with a geographic combatant command’s war-fighting priorities.

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<sup>9</sup>GAO, *Government Reorganization: Potential Benefits and Drawbacks of Merging the National Marine Fisheries Service into the Fish and Wildlife Service*, GAO-13-248 (Washington, D.C.: Feb. 14, 2013).

**DOD Guidance Does  
Not Clearly Articulate  
Roles and  
Responsibilities for  
All Accounting  
Community  
Organizations**

While DOD is working to revise its existing guidance and develop new guidance, the roles and responsibilities of the various members of the missing persons accounting community are not all clearly articulated in existing DOD directives or instructions. We have previously reported on the need for collaborating agencies to work together to define and agree on their roles and responsibilities.<sup>10</sup> DOD has established several directives and instructions related to the missing persons accounting program.<sup>11</sup> However, none of this guidance clearly delineates the specific roles and responsibilities of all the organizations comprising the missing persons accounting community in the four key areas that we examined for our July 2013 report: (1) equipment and artifact identification and analysis, (2) research and analysis, (3) investigations, and (4) family outreach and external communications. Disagreements over roles and responsibilities where the guidance is broad or vague enough to support different interpretations has led to discord, lack of collaboration, and friction among the community's members, and particularly between DPMO and JPAC. For example, JPAC views itself as having the lead on operational activities, such as conducting investigation and recovery missions, and JPAC officials expressed concerns with DPMO's plans to conduct some operational activities. Moreover, the lack of clarity in the guidance has given rise to overlapping and fragmented efforts among accounting community members. We have previously reported that overlap in efforts may be appropriate in some instances, especially if agencies can leverage each others' efforts. In other instances, however, overlap may be unintended, may be unnecessary, or may represent an inefficient use of U.S. government resources.<sup>12</sup> As described in table 1, in

<sup>10</sup>GAO-12-1022; GAO, *Interagency Collaboration: Key Issues for Congressional Oversight of National Security Strategies, Organizations, Workforce, and Information Sharing*, GAO-09-904SP (Washington, D.C.: Sept. 25, 2009); GAO, *Results-Oriented Government: Practices That Can Help Enhance and Sustain Collaboration among Federal Agencies*, GAO-06-15 (Washington, D.C.: Oct. 21, 2005).

<sup>11</sup>Including: DOD Directive 2310.07E, *Personnel Accounting—Losses Due to Hostile Acts* (Nov. 10, 2003, certified as current as of Aug. 21, 2007); DOD Instruction 2310.05, *Accounting for Missing Persons, Boards of Inquiry* (Jan. 31, 2000, incorporating administrative change Mar. 14, 2008); DOD Directive 5110.10 *Defense Prisoners of War/Missing Personnel Office (DPMO)* (Sept. 21, 2005); DOD Instruction 3001.03, *Accounting for Personnel Lost in Past Conflicts—The Armed Forces Identification Review Board (AFIRB)* (Mar. 14, 2008); DOD Instruction 1300.18, *DOD Personnel Casualty Matters, Policies, and Procedures* (Jan. 8, 2008, incorporating change Aug. 14, 2009).

<sup>12</sup>GAO, *Humanitarian and Development Assistance: Project Evaluations and Better Information Sharing Needed to Manage the Military's Efforts*, GAO-12-359 (Washington D.C.: Feb. 8, 2012).

implementing the accounting mission, we found that overlapping and duplicative<sup>13</sup> efforts have led to inconsistent practices and inefficiencies in four key areas.

**Table 1: Identified Areas of Overlap and Duplication in the Accounting Community That Have Led to Inconsistent Practices and Inefficiencies**

Accounting Community Organizations	Areas of Overlap and Duplication Identified
The Joint Prisoner of War/Missing in Action Accounting Command and the Life Sciences Equipment Laboratory	<p><b>Equipment and Artifact Identification and Analysis Overlap</b></p> <p>The Joint Prisoner of War/Missing in Action Accounting Command's Central Identification Laboratory has a capability to analyze life support equipment that overlaps with the analysis that the Life Sciences Equipment Laboratory provides.</p> <p><b>Equipment and Artifact Identification and Analysis Duplication</b></p> <p>The Joint Prisoner of War/Missing in Action Accounting Command's Central Identification Laboratory has requested duplicate analyses by sending resolved cases to the Life Sciences Equipment Laboratory for analysis and reporting.</p>
The Defense Prisoner of War/Missing Personnel Office and the Joint Prisoner of War/Missing in Action Accounting Command	<p><b>Research and Analysis Overlap</b></p> <p>The Defense Prisoner of War/Missing Personnel Office and the Joint Prisoner of War/Missing in Action Accounting Command have overlapping operational functions that include research and analysis responsibilities.</p> <p><b>Investigations Overlap</b></p> <p>The Defense Prisoner of War/Missing Personnel Office and the Joint Prisoner of War/Missing in Action Accounting Command have overlapping operational functions that include investigation responsibilities.</p>
The Defense Prisoner of War/Missing Personnel Office, the Joint Prisoner of War/Missing in Action Accounting Command, and the service casualty offices	<p><b>Family Outreach and External Communications Overlap</b></p> <p>The Defense Prisoner of War/Missing Personnel Office, the Joint Prisoner of War/Missing in Action Accounting Command, and the service casualty offices all play a role in family outreach and external communications. The service casualty offices serve as the primary liaison for families; the Defense Prisoner of War/Missing Personnel Office conducts periodic updates and annual government briefings for families; and the Joint Prisoner of War/Missing in Action Accounting Command hosts numerous private tours for family members and provides operational briefings and individual family meetings at multiple family update events.</p>

Source: GAO analysis of agency-provided information.

Today, I will highlight one of those areas: equipment and artifact identification and analysis. JPAC and the Life Sciences Equipment Laboratory disagree about the laboratory's roles and responsibilities for equipment and artifact identification and analysis, and DOD guidance is vague regarding those responsibilities. As a result, the interactions

<sup>13</sup>Duplication occurs when two or more agencies or programs are engaged in the same activities or provide the same services to the same beneficiaries.

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between JPAC's Central Identification Laboratory and the Life Sciences Equipment Laboratory have been inefficient and ineffective and have led to underutilizing government resources, as the following example demonstrates. JPAC and Life Sciences Equipment Laboratory officials disagree about roles and responsibilities in terms of which conflicts and types of equipment the Life Sciences Equipment Laboratory can analyze. JPAC officials told us it is unlikely that they would forward case work to the Life Sciences Equipment Laboratory for conflicts other than Vietnam, and that they do not send ground equipment<sup>14</sup> remnants to the equipment laboratory, regardless of conflict. Conversely, Life Sciences Equipment Laboratory officials stated that their capabilities can support analysis of cases for conflict periods ranging from World War I through current military operations for all military services, and that their mission includes analyzing artifacts recovered at aircraft crash or ground action loss sites. Further, a 2004 memorandum of agreement between JPAC and the Life Sciences Equipment Laboratory states that the Life Sciences Equipment Laboratory has the capability to provide analysis for equipment from World War II, Korea, Vietnam, the Cold War, and current day conflicts. Life Sciences Equipment Laboratory officials expressed concern that JPAC and its Central Identification Laboratory are trying to exclude the Life Sciences Equipment Laboratory from the accounting process by downplaying its potential contributions. This example shows how the lack of clearly defined roles and responsibilities has led to disagreements and inefficient and ineffective interactions among community members.

Since 2010, DPMO has attempted to address issues surrounding the accounting community organizations' roles and responsibilities by developing new guidance or revising existing guidance, but these efforts have not been completed. DPMO has drafted a revision to DOD Directive 2310.07E and has also drafted a new DOD instruction to provide more clarity with regard to roles and responsibilities. As of May 2013, however, neither the draft instruction nor the revised directive had been finalized, because the drafts had been stymied by disagreements among community members regarding their respective roles and responsibilities as stated in the drafts. Both DPMO officials and JPAC officials said they have made progress in addressing these areas of disagreement, and DPMO officials stated that they hoped to have the draft directive finalized by September 2013 and the draft instruction published by March 2014.

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<sup>14</sup>Ground equipment includes servicemembers' personal gear such as helmets, body armor, canteens, and weapons.

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Because the drafts of these documents are still under revision, it is unclear whether the final guidance will clarify the roles and responsibilities sufficiently to address the four areas of overlap and disagreement summarized in table 1 above. Until DOD issues its revised directive and new instruction that more clearly define the roles and responsibilities of all the accounting community organizations, these areas of inefficient overlap may continue, and the disputing factions within the accounting community may continue to hinder future progress.

Consequently, we recommended in our July 2013 report that the department revise and issue guidance to clarify roles and responsibilities of accounting community members and negotiate a new memorandum of agreement between the Life Sciences Equipment Laboratory and JPAC. DOD concurred with both of these recommendations.

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#### Development of Community-wide Plan Is Impeded by a Fragmented Approach to Planning and Disputes among Community Members

While DOD has made some progress in drafting a community-wide plan to increase its capability and capacity to meet the statutory accounting-for goal, as of June 2013 DOD had not completed a community-wide plan. We have previously reported that overarching plans can help agencies better align their activities, processes, and resources to collaborate effectively to accomplish a commonly defined outcome.<sup>15</sup> However, our July 2013 report found that community-wide planning to meet the accounting-for goal established by Congress has been impeded by disputes and by a lack of coordination among members of the missing persons accounting community, with DPMO and JPAC developing two competing proposed plans, neither of which encompassed the entire accounting community. In response to a December 2009 memorandum from the Deputy Secretary of Defense directing the Deputy Assistant Secretary of Defense for Prisoner of War/Missing Personnel Affairs to begin planning to meet the accounting-for goal, USD Policy and PACOM allowed the development of these two competing proposed plans for obtaining additional funding and resources to meet the mandated capability and capacity. According to DPMO officials, neither the Joint Staff nor USD Policy provided oversight or intervention in the disagreement. These officials stated that such oversight and intervention could have helped JPAC and DPMO to resolve their impasse by improving communication, interaction, and cooperation. Both plans called

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<sup>15</sup>GAO-09-904SP.

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for increased capability and capacity and for a new satellite remains identification laboratory located in the continental United States. However, the two plans differed as to which organization would have control over much of the increased capability and capacity, with each plan favoring the organization that authored it. The other accounting community members and their resource needs were not mentioned in either proposed plan.

The dispute concerning the competing proposed plans was resolved through DOD's Program Budget Review Process in January 2011, after being assessed by a DOD-wide team led by DOD's Office of Cost Assessment and Program Evaluation. In a DOD resource management decision,<sup>16</sup> DOD programmed more than \$312 million in proposed additional resources over fiscal years 2012 through 2016 in support of JPAC's plan, including an additional 253 personnel—reflecting a greater than 60 percent increase over JPAC's 2011 level. However, key parts of JPAC's plan are not being realized. For example, JPAC has been unable to conduct the number of investigation and recovery missions called for in the plan, in part due to an inability to hire the additional personnel who had been authorized and also in part due to the budget reductions and expected furloughs associated with sequestration. As of May 2013, the JPAC plan, which does not incorporate the larger accounting community, is DOD's only plan to increase capability and capacity to account for missing persons.

While the community has taken some recent steps to draft a community-wide plan as directed by the 2009 memo from the Deputy Secretary of Defense, we found that disagreements between JPAC and DPMO hindered progress in developing the community-wide plan. According to both DPMO and JPAC officials, the areas of disagreement included topics such as (1) the division of research and analysis responsibilities between DPMO and JPAC; (2) determination of the appropriate levels of effort for each of the various conflicts; and (3) agreement on a policy to address lower priority cases that have been on JPAC's list of potential recovery sites for a long time. As of June 2013, DPMO and JPAC officials said that the areas of disagreement had been informally resolved and needed to be documented. DPMO had developed a draft of the community-wide plan, but DPMO officials explained that the draft would not be sufficiently comprehensive to share for review among the community members until

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<sup>16</sup>DOD, Resource Management Decision 700 (Jan. 2011).

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it incorporated the informal agreements that have recently been resolved. The officials stated that they now plan to finalize the community-wide plan by the end of calendar year 2013.

In the absence of a community-wide plan, the members of the accounting community have had varied success in independently identifying and obtaining funds and resources to help meet the accounting-for goal. Moreover, there is no community-wide process to provide resources for the missing persons accounting mission. Each member organization of the accounting community has its own processes for requesting resources, because they belong to diverse parent organizations, and these processes are not integrated or coordinated. Until DOD finalizes a community-wide plan that addresses the resource needs of community members as well as changes in planned operations, the accounting community will be challenged to justify the resources it needs to increase DOD's capability and capacity to account for at least 200 missing persons a year by 2015, and DOD's ability to achieve that required increase may be at risk.

We recommended in our July 2013 report that the department finalize the community-wide plan to develop the increased capability and capacity required by statute, with the support and participation of all community members. DOD concurred with our recommendation. In total, our full report contains nine recommendations with which DOD generally concurred. The report also contains DOD's comments, which state the steps the department plans to take to implement our recommendations.

In conclusion, while we are encouraged that DOD generally concurred with all nine of the recommendations in our July 2013 report, we note that prompt action on the part of the department to address these recommendations is critical, because the 2015 timeframe for DOD to meet the accounting-for goal is rapidly approaching. Further, as time passes, the information needed for missing persons recoveries continues to deteriorate. Families have been waiting for decades to discover the fate of their loved ones, and the weaknesses that we identified in DOD's capability and capacity to account for missing persons jeopardize the department's ability to provide some measure of closure to those families whose loved ones are still missing as a result of their service to their country.

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Chairman Wilson, Ranking Member Davis, this concludes my prepared remarks. I would be pleased to respond to any questions that you or other Members of the Subcommittee may have.

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## Contacts and Acknowledgments

For future questions about this statement, please contact Brenda S. Farrell, Director, Defense Capabilities and Management, at (202) 512-3604 or farrellb@gao.gov. In addition, contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this statement. Individuals who made key contributions to this statement include Margaret Best, Assistant Director; Renee Brown, Terry Richardson, Leigh Ann Sennette, Cheryl Weissman, Allen Westheimer, and Michael Willems.





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**Short Bio for Brenda S. Farrell**  
**Director, Defense Capabilities and Management**  
**U.S. Government Accountability Office**  
[farrellb@gao.gov](mailto:farrellb@gao.gov)

In April 2007, Ms. Farrell was appointed to serve as a director in GAO's Defense Capabilities and Management Team where she is responsible for military and civilian personnel issues, including related medical readiness issues. Prior to her appointment with the Defense Capabilities and Management Team, Ms. Farrell served for 14 months as an Acting Director for GAO's Strategic Issues Team where she was responsible for overseeing three major bodies of work related to strategic human capital management, government regulation, and decennial census issues. Before joining the Strategic Issues Team, Ms. Farrell was an Assistant Director for Defense Capabilities and Management and led military personnel engagements encompassing military pay and benefits, Reserve and National Guard mobilization issues, and senior military officer requirements and career development. Ms. Farrell began her career at GAO in 1981, and has served in a number of issue areas associated with national security issues. She received her bachelor's degree in sociology from the University of Louisville. In 2000/2001, she attended the National Defense University, Industrial College of the Armed Forces and earned a master's degree in national resources strategy. Ms. Farrell completed the leadership development program at Eckerd College in 2004, and in 2005, she completed the Senior Executive Fellow Program at Harvard University. In March 2007, she graduated from the CAPSTONE program at the National Defense University for newly appointed general and flag officers being the first GAO SES to complete this program. Ms. Farrell was the project director for a seminar on organizational transformation, co-sponsored by GAO, the World Bank, and the INTOSAI Development Initiative, held in November 2007, for the heads of Supreme Audit Institutions. Most notable is Ms. Farrell's body of work on DOD's Personnel Security Clearance Program that helped lead to the removal of this program from GAO's High Risk List in 2011. To date, this program is the only DOD area to be removed the high risk list. Ms. Farrell was the recipient of a GAO meritorious award for sustained extraordinary performance leading multiple, highly complex, defense reviews, as well as numerous other awards including several Results through Teamwork awards, and awards for high quality products.

EMBARGOED UNTIL 08h00 1 August 2013

## **JOINT POW/MIA ACCOUNTING COMMAND**

### **PREPARED STATEMENT FOR THE RECORD FOR THE HOUSE ARMED SERVICES COMMITTEE MILITARY PERSONNEL SUBCOMMITTEE**

SUBJECT: JPAC Information Value Chain and Standard Operating Procedure

STATEMENT BY: Paul M. Cole, PhD, ORISE Fellow, Central Identification  
Laboratory, Joint POW/MIA Accounting Command, Joint Base  
Pearl Harbor-Hickam, Honolulu, Hawaii

**1 AUGUST 2013**

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Chairman Wilson, Ranking Member Davis, and distinguished members of the Subcommittee.

Thank you for the invitation to appear before this Subcommittee today. This hearing marks the third time I have been extended the privilege to testify before Congress concerning POW/MIA issues. In 1992, I appeared before the Senate Select Committee on POW/MIA Affairs "Hearings on Cold War, Korea and WWII POWs." In 1996, I testified before the House Committee on National Security's Military Personnel Subcommittee's "Status of POW/MIA Negotiations with North Korea" hearings.

Today, I appear in my personal capacity to discuss the Joint POW/MIA Accounting Command ("JPAC") draft Information Value Chain Study ("IVC Report"), and JPAC Standard Operating Procedure ("SOP"), both of which I produced. My prepared statement and testimony today, which represent my personal views and opinions, do not reflect the views or opinion of the US Government, Department of Defense, JPAC or anyone else.

This statement provides the Committee with a brief overview of the purpose and utility of the SOP and IVC Report project. The statement ends with a discussion of some improvements that have been implemented at JPAC as well as a summary of issues that in my view require further attention.

The origin of my involvement with the production of the IVC Report and SOP began after March 2010 when the Oak Ridge Institute for Science and Education ("ORISE") appointed me as a Fellow at the JPAC Central Identification Laboratory ("JPAC-CIL" or "CIL").

My initial assignment was to assess the process used by the JPAC-CIL to locate, recover and identify human remains associated with the Korean War. The objective was to assess the identification process from a business perspective in order to determine whether the process could be made more efficient.

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In May 2010, senior JPAC-CIL managers were asked to brief the Commanding General JPAC (“CGJPAC”) MG Stephen Tom about my work on the Korean War identification process. At approximately the same time LTC Timothy Duffy, the Joint Chiefs of Staff Vice Chairman’s advisor on the POW/MIA Accounting Community, was motivating the command group to produce a JPAC SOP.

In May 2010 the CGJPAC offered me the opportunity to produce the JPAC SOP and IVC Report. My skill sets and experience with similar projects with the Center for Strategic and International Studies, the RAND Corporation, the World Bank, UNDP, USAID, other NGO’s and private clients were a good fit with the proposed project, so I accepted the assignment (hereinafter the “Project”). For the purpose of the Project, I reported directly to Col. John Sullivan, JPAC Deputy Commanding Officer (“commissioning DCO”).

The commissioning DCO advised the directors and deputy directors of JPAC’s various sections and detachments, repeatedly in writing and again in several meetings, that this was a command-authorized Project under the direct supervision of the commissioning DCO.

The concept for the Project was to “take a snapshot” of JPAC’s operations and procedures. The purpose of the “snapshot” was to provide a detailed, empirical dataset on which to base the envisaged SOP. The commissioning DCO expressed preference for an assessment of the “inputs and outputs” in the JPAC production process. A simplified version of the Leontief Input-Output Model was selected as the appropriate analytical method for this analysis.

The product of the Leontief Input-Output analysis was intended to contribute to the JPAC senior management and command’s ability to identify excess production, reconcile disputes and eliminate waste. The production and consumption matrix produced for the Project is attached as an annexure to the IVC Report. The Leontief Input-Output analysis also produced quantifiable, empirical data that were used to draft the SOP.

JPAC’s Congressionally-authorized product, the identification of human remains, requires an information-intensive production process. The production process requires Knowledge Workers who have the skill sets and experience necessary to collect, process, package, distribute and interpret information with optimal effect. The initial research step, therefore, was to survey the various JPAC sections and detachments to determine the pattern and effectiveness of communication and information flow within the organization. The result of that exercise indicated that a problem with the creation and transfer of information existed within JPAC.

The Leontief Input-Output Model therefore needed to be complemented by an assessment of JPAC’s information value chain. The concept of supply chain management in manufacturing is familiar to most managers. A similar management concept, the Information Value Chain (“IVC”), addresses the creation, processing, and transfer of information within a knowledge-based organization. An IVC assessment was selected as the appropriate analytical method.

The data in the IVC Report were generated by a series of written surveys and face-to-face interviews with the directors and deputy directors of JPAC’s various sections and detachments.

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During the course of the Project, Congress made two fundamental changes that affected every aspect of the Accounting Community in general, and JPAC in particular. NDAA 2010, which changed the status of all pre-enactment POWs and MIAs to “missing persons,” also eliminated two methods of identification. As of October 2009, when H.R. 2647 (111<sup>th</sup>) was signed into law, only one method to account for missing persons was authorized. NDAA 2010 defined “accounted for” as the “meaning given such term in section 1513(3)(B) of Title 10, United States Code,” viz,

*The remains of the person are recovered and, if not identifiable through visual means as those of the missing person, are identified as those of the missing person by a practitioner of an appropriate forensic science.*

Congress eliminated all other accounting methods including “fullest possible accounting.” The single authorized accounting method significantly enhanced the importance of scientific evidence while downgrading the role of circumstantial information in the identification process. An IVC survey revealed that 60 percent of JPAC’s sections disagreed with the single authorized accounting method. After four years, the single accounting method has yet to be fully implemented.

With regard to the Project’s products, in contrast to media reports, the IVC Report does not conclude and I do not share the view that the entire JPAC operation is “dysfunctional.” The IVC report clearly and repeatedly states that the Investigative Team program, which is the procurement step in the JPAC production process, has been and continues to be dysfunctional.

The distinction between procurement and laboratory operations is essential to understanding JPAC operations. The dysfunctional procurement program is controlled by the J2 section, now known as Research and Analysis (“R&A”), which has had sole responsibility for the procurement of human remains since 2005. The IVC Report concludes that the J2/R&A’s procurement program, not JPAC, is dysfunctional.

The IVC Report states that an evaluation of the JPAC-CIL’s scientific competence exceeded the scope of the Project. Assessments by competent authorities, however, confirm that the scientific integrity of the JPAC-CIL has not been compromised and that laboratory operations are not dysfunctional. The dysfunctional J2/R&A plays no role in laboratory operations.

The commissioning DCO was briefed or consulted in excess of thirty hours during the course of the Project. The CGJPAC, who was briefed on numerous occasions, also requested several memoranda and other Project products. In addition, the commissioning DCO organized and chaired a day-long off-site conference for deputy directors of all JPAC sections where the interim findings of the project were presented and offered to the participants for comment and feedback. With the exception of the commissioning DCO’s comments, no feedback or comments from any of the other participants were provided after any of these events.

On 21 September 2011, a draft of the IVC Report and the final draft of the JPAC SOP were submitted to the CGJPAC. No comments or feedback were provided.

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In late January 2012, the draft IVC Report was posted to an internal JPAC share point by incoming DCO Col. Alan Thoma ("Incoming DCO"). The incoming DCO posted the report to the internal JPAC share point prior to reading it. The incoming DCO's letter concerning this event is attached as an annexure to this statement (below).

Following the posting of the report, the CGJPAC advised me that he had read the IVC Report and intended to use it. On 3 February 2012, the CGJPAC "disavowed" the IVC Report. The CGJPAC did not include me on the distribution list. I was advised about the CGJPAC's letter by a third party. A copy of the CGJPAC's letter is attached to this statement (below).

The CGJPAC's letter included, *inter alia*, the following concerns about the IVC Report:

I do not endorse it or any part of it. I do not find merit in the finding, conclusions or recommendations. Some parts of the ICVR (sic) are poorly written, reflect a bias, and contain findings and recommendations that go beyond the intended scope of the report.

The CGJPAC expressed none of these concerns to me prior to disavowing the IVC Report. No evidence to support the finding of "bias" in the CGJPAC's letter has been presented.

Following the CGJPAC's "disavowal," within a short period of time one or more unauthorized releases of the IVC Report occurred. This is how the draft IVC Report appeared in the public domain.

The motives for the unauthorized release(s) have yet to be revealed. To my knowledge, no disciplinary action was taken against any of the persons responsible for the unauthorized disclosures. I did not make any unauthorized release of the IVC Report. In fact, just the opposite is true. I protected the IVC Report because it was designed and intended to be a close-hold, top management document, available to perhaps two or three senior JPAC managers. If it were made public, the IVC Report would lose its utility as a management tool. And so it has.

Due to the unauthorized leaks, the IVC Report came to the attention of several parties outside of JPAC, including the media. Were it not for this chain of events, the probability that we would be meeting here today is rather remote.

With regard to the SOP, the purpose of the IVC Report was to reveal problems in the JPAC production process. The purpose of the SOP was, in part, to provide solutions to those problems. The original draft of the SOP addressed several process problems that were revealed by the IVC Report. Unfortunately, several important solutions in the draft SOP were not implemented.

After the draft SOP was submitted, I did not see the document again until the official version had been signed by the CGJPAC and posted on the JPAC portal. I was not involved with the revision of the SOP. A comparison of the original draft SOP and the final text signed by the CGJPAC reveals fundamental differences. For example, the original draft SOP required the J2 section to report quantifiable metrics as well as to implement several basic accountability measures. All of the proposed J2 accountability measures and reportable metrics were removed from the draft SOP after it was submitted to the CGJPAC.

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With regard to “military tourism,” the term was first used by the CGJPAC to describe the activities of the J2’s Investigative Team mission program. “Military tourism” is a toxic cocktail of improper research methods facilitated by weak management, poor leadership and absence of accountability. The young employees who participated in “military tourism” should not be held accountable, as they lacked the experience, integrity or seniority to decline to participate. In contrast, over a number of years various JPAC commanders, managers, and senior staff members were well aware that “military tourism” was taking place. Various managers and participants were aware of the expense, nature and poor results that “military tourism” produced. The commanders, managers and senior staff who approved requests for or participated in “military tourism” should be held accountable for any travel that was unnecessary or excessive.

The fundamental, chronic problem that continues to plague JPAC concerns the low quantity and marginal quality of remains coming into the JPAC-CIL as a result of the failure of the J2/R&A Investigative Team program’s procurement activities. The accessions acquired annually since 2005 are sufficient to allow the CIL to produce only a small percentage of the 200 identifications Congress required JPAC to make per year beginning in FY15.

In order to produce 200 identifications per year from accessions obtained from field activities, a minimum of 250 sets of high-quality human remains should be accessioned by the JPAC-CIL per year. Between 2005-2013, JPAC’s Investigative Team procurement program, which should have produced a minimum of 2,250 high-quality accessions, produced only 595, an average of less than 59 accessions per year, a cumulative shortfall of at least 1,655 accessions.

The IVC Report concluded that the J2/R&A problem was inefficiency, not economy of scale. Despite the fact that growth was contraindicated, the JPAC command group significantly increased the human resources and funding for the J2’s “military tourism” program. The CGJPAC designated 2013 as the “Year of the J2,” with the expectation that the results generated would be measured in increased accessions in 2014. The wisdom and requirement for such an investment were questioned at the time, to no avail. Today, the results speak for themselves. The “Year of the J2” has produced no meaningful increase in sites designated for excavation. One may anticipate, however, that this failure will be attributed to sequestration.

When the identifications deriving from disinterments, the K208 collection, and remains found by third parties (aka “unilateral turnovers”) are deducted from JPAC’s total annual production, the number of identifications produced from remains acquired by efforts attributable to the Investigative Team procurement program is in the high teens, perhaps low twenties. This is an unacceptably low return on an investment of tens of millions of dollars.

The situation at JPAC following the leak of the IVC Report has not been all doom and gloom. Various improvements – some large, some small, others inchoate – have been initiated or realized. Earlier this year, the American Society of Crime Laboratory Directors (ASCLD-LAB) accreditation of the JPAC-CIL was renewed for another five years. The JPAC-CIL, which became the second US Government laboratory to be accredited to the international standard by ASCLD-LAB, is still the only skeletal laboratory in the USA to be so accredited. During the



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timeframe of the IVC Report, the JPAC-CIL was asked by Ms Kathryn Condon, Executive Director of the Army National Cemeteries Program, to come to the assistance of Arlington National Cemetery in order to resolve some of the problems that had come to light there. These achievements are further confirmation that the scientific integrity of the JPAC-CIL's laboratory operations is uncompromised as well as consistent with best international practice.

The original draft SOP created an Investigation Decision Board ("IDB") that was assigned the responsibility to assess Investigative Team proposals in order to deter "military tourism." Before it was implemented, the SOP was amended by the command group to allow the J2, the section that presents to the IDB, to select its own agenda, vote on its own proposals, then evaluate the results. Other voting members were added, including External Relations and J5/Policy, which lack the skill sets to evaluate investigative mission proposals. The current IDB, while flawed, is an incremental improvement over the previous system that had no controls whatsoever. The integrity and effectiveness of the IDB could be improved rather easily, should the will exist to do so.

Another area of improvement concerns the production of field maps. A properly-trained JPAC-CIL Recovery Leader is now responsible for conducting site assessments on Investigative Team missions, which includes mapping and evidence collection. The quality and reliability problems in field map production that were identified in the IVC Report have been successfully resolved by this solution.

Progress has also been made on the JPAC-CIL's program of disinterment for the purpose of identification. The JPAC-CIL is on track to make at approximately 30 identifications per year from the disinterment of Korean War unknowns from the National Memorial Cemetery of the Pacific. Ironically, the success of the disinterment for the purpose of identification program continues to divert attention from the failure of the Investigative Team procurement program.

There is, however, a serious problem in the disinterment program that needs to be resolved.

Prior to the disinterment of an unknown for the purpose of identification, the JPAC-CIL Scientific Director must determine that there is a high probability that the unknown may be identified using current forensic scientific methods. DoD policy, which worked well after its implementation in 1999, stated that the disinterment decision should be based on the merits of each case, derived from scientific evidence and circumstantial information. During the course of the IVC Project, it became clear that elements within the DoD as well as certain lobbyists were determined to change DoD policy in order to undermine the JPAC-CIL disinterment program.

The on-going interference in the JPAC-CIL's disinterment program creates confusion, introduces needless complexity and drags out the decision-making process unnecessarily. Were it not for this interference, the number of identifications from disinterments could be increased considerably. This is due, in part, to the fact that a disinterment for the purpose of identification is the most information-intensive of all of JPAC's activities. Denying the JPAC-CIL the

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authority to disinter unknowns based on scientific merit is prejudicial to the interests of the families of the missing in general, and the WWII families in particular.

There have been a few noteworthy improvements in the remains procurement effort, though the source of the innovation derives from sections other than J2/RA. An important effort to reverse the downward trend in the quantity and quality of accessions of remains was initiated by the JPAC Operations Directorate (J3), which has successfully created and implemented a new model for JPAC investigations in Papua New Guinea (“PNG”).

In September 2013, an overhead imagery project led by the J3 will begin to conduct mapping of aircraft crash sites in PNG.

- The project will utilize a relatively new technology, a multi-band synthetic aperture radar, or MB-SAR, which has been used to detect command wires for IEDs in Iraq and Afghan. JPAC will attempt to use MB-SAR to penetrate foliage in order to find concentrations of metal on the surface which may be WWII aircraft wreckage.

The use of a contracted force in PNG to perform an initial site visit will be the beginning of a systematic effort to clear PNG zone-by-zone.

- The intent is to use a contractor in Burma to provide a similar service as well as to capitalize on the recent success of an advertising campaign that uses a telephone hotline to receive tips and leads.

These types of innovation, which have produced initial successes, bode well for the future.

Finally, various media reports stated the IVC Report somehow concluded that JPAC was “snookered” by the DPRK into excavating “salted” sites. (A site is “salted” when remains are collected then buried with the intent to deceive the JPAC recovery teams.) First, the JPAC-CIL scientists were perceptive enough to determine that the sites were salted. Second, the JPAC-CIL scientists were skilled enough to determine that the salted sites included remains that were parts of some of the same individuals represented in the K208 collection that had been unilaterally turned over by the DPRK in the early 1990’s.

By combining the remains recovered from salted sites with the remains from the K208 collection, JPAC-CIL scientists have thus far been able to produce *over one hundred identifications of Korean War missing*.

DoD’s negotiating strategy toward the DPRK and the type of compensation paid could help minimize the salting problem. One option would be to pay the DPRK for the remains to be turned over without going through the charade and expense of “finding” remains in salted sites.

Nonetheless, the performance with regard to the salted sites in the DPRK is an example of the JPAC-CIL’s scientific ingenuity and skill that should make the entire Accounting Community as well as every member of this Subcommittee proud.

I look forward to your questions and thank you again for the opportunity to appear today.

EMBARGOED UNTIL 08h00 1 August 2013**JOINT POW/MIA ACCOUNTING COMMAND**

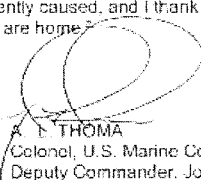
310 Worcester Ave  
 Joint Base Pearl Harbor Hickam, Hawaii 96853-5530

30 Jan 12

From: Deputy Commander, Joint POW/MIA Accounting Command  
 To: JPAC Team

Subj: JPAC'S INFORMATION VALUE CHAIN REPORT (DRAFT)

1. This letter is to provide clarification and perspective on the draft assessment titled "JPAC's Information Value Chain Report (IVCR)" otherwise referred to as the Efficiency Study.
2. The IVCR draft report was the result of a DCO tasking to look at the processes and efficiencies within the command in order to determine where improvements could be made as we move towards an increased tempo, budget constrained environment. The results of the assessment were to be used as a tool by JPAC senior management to support future planning considerations. What was posted was a raw, uncensored draft containing some contentious material and personalization not intended for open distribution or dissemination. My intent was to use any potential "nuggets" within the draft document during the Tiger Team effort; however, I failed to properly consider the nature of the report and fully review its content before making it available for the Tiger Team's use. Taken as a whole, I should not have included it as Tiger Team resource. As such, I have removed the report from the SharePoint and have postponed the Tiger Team to a later date. I am also recommending to the Commander JPAC that the document not be included in future planning efforts.
3. The draft IVCR is not an approved JPAC product. It has not been reviewed nor approved by the Commander JPAC; therefore, it does not have Command endorsement, and it should not be cited as an authoritative source for decision-making about efficiencies or processes within the command. Because of this and its content, the report should be considered sensitive and handled as FOUO. It should not be copied or distributed, especially outside of JPAC. The Commander JPAC will review the document and make any further decisions regarding it upon his return.
4. I apologize for any undue friction I inadvertently caused, and I thank you for your tolerance, patience and hard work. "Until they are home."

  
 A. E. THOMA

Colonel, U.S. Marine Corps  
 Deputy Commander, Joint POW/MIA  
 Accounting Command

EMBARGOED UNTIL 08h00 1 August 2013



**JOINT POW/MIA ACCOUNTING COMMAND**  
310 WORCHESTER AVENUE  
JOINT BASE PEARL HARBOR-HICKAM HI 96853

3 February 2012

MEMORANDUM FOR JPAC STAFF

Subj: DISAVOWAL OF DRAFT EFFICIENCY STUDY

1. The draft assessment entitled "JPAC's Information Value Chain Report (ICVR)" otherwise known as the Efficiency Study is hereby disavowed, and rejected in its entirety. It may not be used for any purpose. The professional reputations of our staff are not to be considered sullied.
2. I have personally reviewed the draft ICVR in its entirety. Because the report was released prior to my approval, there may be a belief that I endorse the report. This is not true. The draft ICVR was mistakenly released before my review and approval. I do not endorse it or any part of it. I do not find merit in the finding, conclusions or recommendations. Some parts of the ICVR are poorly written, reflect a bias, and contain findings and recommendations that go beyond the intended scope of the report. I concur with the Deputy Commander's recommendation that this draft not be considered in future planning efforts, to include the Tiger Team.
3. The Command will not consider any allegations, findings or recommendations from the report. Therefore, the Command does not require or expect any rebuttal to the allegations and findings of the report. The Command does not consider the outstanding reputation, integrity and professionalism of the JPAC team to be in any way tarnished by this draft report. Each member of JPAC has worked hard to earn their valuable professional reputation; and, it is to be respected.
4. Unfortunately the draft Efficiency Report, or parts of it, may have been shared outside of JPAC. The draft report is marked FOUO and I direct that no further copying or sharing of the draft report be made. If outside parties ask about the draft report, all members of the JPAC team will inform the requestor that the ICVR has been disavowed by the Command and will not be shared and should defend the proud work that JPAC does to bring closure to the families of the missing.

*Stephen D. Tom*  
STEPHEN D. TOM  
Major General, United States Army  
Commander, Joint POW/MIA  
Accounting Command

EMBARGOED UNTIL 08h00 1 August 2013

## CURRICULUM VITAE

**NAME: Paul M. Cole, Ph.D.**

### PROFESSION

Political Economist / Management Consultant

### EDUCATION:

PhD, Johns Hopkins Nitze School of Advanced International Studies, 1990

- American Foreign Policy (Major Field)
- International Relations Theory (First Minor Field)
- European Studies (Second Minor Field)
- MA Equivalency Exam in International Economics
- Professional certification in French and Swedish

MSFS, Edmund Walsh Graduate School of Foreign Service, Georgetown University, 1981

- Dual concentration in International Economics and Force and Diplomacy
- Winner of the Horace Porter Essay Competition
- Professional certification in French

BA, Gustavus Adolphus College, 1979

- International Studies (Major)
- Languages (French, Swedish) and History (Minors)

### KEY QUALIFICATIONS

Dr. Cole provides economic analysis and management consulting services to business, governments and academia. Since March 2010, he has been a visiting ORISE Scientific Fellow at the ASCLD-Lab accredited Central Identification Laboratory, located at the Joint POW/MIA Command, Joint Base Pearl Harbor-Hickam, Honolulu, Hawaii.

Dr. Cole's academic training includes three inter-disciplinary degrees (BA, MSFS and PhD) that were built around international economics and analytical techniques. For more than a decade, he applied these skills at three of the world's most influential think tanks, the Rand Corporation and the Center for Strategic and International Studies and the Carnegie Endowment. He taught at Georgetown University and the University of Southern California.

In the 1980s, Dr. Cole specialized in the economics of defense, political-military affairs and high-technology sector analysis, with particular attention on political economy, security policy and international relations. Since 1993, Dr. Cole has focused on private sector business, with emphasis since 1996 on the telecommunications sector.

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Dr. Cole was resident and worked in Africa from 1998-2010.

#### **CURRENT ASSIGNMENT**

Visiting Fellow, Oak Ridge Institute for Science and Education, Central Identification Laboratory (CIL), Joint POW-MIA Accounting Command (JPAC), Joint Base Pearl-Hickam. [www.jpac.pacom.mil](http://www.jpac.pacom.mil)

Researched, designed, produced and a Standard Operating Procedure (SoP) for the entire JPAC command.

Primary investigator and author of a year-long JPAC Information Value Chain study that focused on how to improve efficiency within the accounting command.

Represent the Central Identification Laboratory on the DoD Defense Forensic Enterprise steering group.

Designed, created and populated several databases dealing with biological material, particularly the use of databases to increase the efficiency and effectiveness of the identification process.

On-going analysis of the National Defense Authorization Act (NDAA) as well as various DoD Directives and Instructions, to determine implications for the CIL.

#### **AFFILIATIONS**

Non-Resident Fellow, Institute for Near East and Gulf Military Analysis (INEGMA, [www.inegma.com](http://www.inegma.com)) Dubai UAE

Board Member, Scandinavian National Council, Gustavus Adolphus College, St. Peter, MN

Editorial Board, *Reflections Turkey* ([www.reflectionsturkey.com](http://www.reflectionsturkey.com)), Istanbul, Turkey

**## END ##**

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**DOCUMENTS SUBMITTED FOR THE RECORD**

AUGUST 1, 2013

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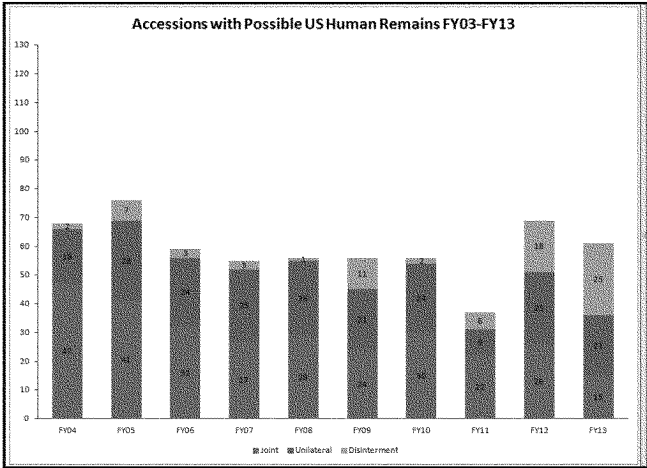
The purpose of this memorandum is to reply to the question for the record that Rep. Bordallo asked Dr Cole during his 1 August 2013 appearance before the House Armed Services Committee Military Personnel Subcommittee.

Rep. Bordallo asked, “What are the recovery numbers now?”

HASC staff advised that Rep. Bordallo “was asking what current recovery numbers are in terms of identifications.”

As shown in the following chart, the total number of “possible US human remains” accessioned into the Joint POW-MIA Accounting Command (JPAC) Central Identification Laboratory (CIL) derives from three sources: Joint Operations (aka field operations), Unilateral Turnovers (remains turned over by third parties), and remains from the Disinterment of unknowns from US national cemeteries.

The point I made that prompted Rep. Bordallo’s question was that the amount of possible US human remains coming into the JPAC-CIL that are produced by field operations is unacceptably low. The possible US human remains produced by Joint or field operations are shown in blue below.



	FY 04	FY 05	FY 06	FY 07	FY 08	FY 09	FY 10	FY 11	FY 12	FY 13
Disinterment	2	7	3	3	1	11	2	6	18	25
Unilateral	19	28	24	25	26	21	24	9	25	21
Joint	47	41	32	27	29	24	30	22	26	15

○